BOMBAY GAZETTE.

PUBLISHED THRICE A WEEK, ON EVERY MONDAY, WEDNESDAY, AND FRIDAY, MORNING.

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"Nothing extenuate, nor set down aught in Malice."

Vol. LII. BOMBAY: FRIDAY, MARCH 26, 1841. New Series No. 37.

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6 Annas per line, with the customary abatement to the Trade.

For others the charges are:

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3 do. do. for a second do.
2 do. do. for a third do.

the same being in immediately succeeding papers.

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BOMBAY GAZETTE OVERLAND DISPATCH.

WHICH will contain a Precis of Indian Intelligence for the past Month.

The Public and Subscribers to the Gazette are informed that an Overland Monthly Dispatch, will be published at this Office for the present and every succeeding Mail—to Subscribers of the Gazette, *Gratis*.—Non-Subscribers one Rupee per Copy and to Subscribers for the above alone Rs. 10 per Annum, in England £1. 1s.

The Outstation Subscribers to the *Bombay Gazette* are hereby informed that if they will favor the Editor with the names of the Parties in England to whom they wish their Overland Gazette to be sent, they will be forwarded punctually through the Post Office here by each Steamer.

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Bombay Gazette Office, No. 5, Forbes' Street.

THE SUBSCRIBERS of the BOMBAY GAZETTE are respectfully requested to take notice that the New Proprietorship commenced from the 1st of June 1840, and that all accounts &c. with the present concern will commence from that date.

THE SUBSCRIBERS to the GAZETTE are requested that whenever a change of residence or Station may take place, they will be pleased to give information of the same, in order, to prevent mistakes in forwarding their Newspaper.

COPPER PLATE PRINTING.

THE LADIES and GENTLEMEN of the Presidency and the Public in general are hereby informed, that VISITING and INVITATION CARDS will be neatly executed and on reasonable terms at this Office.

All orders for Copper Plate Engraving and Card Printing addressed to the Printer of this Paper will be carefully attended to.

TO THE ARMY AND NAVY.

THE following Works are for Sale and to be had on application at this Office.

MARRYAT'S CODE OF SIGNALS, Sixth Edition, of the 1st, 2nd, and 3rd Parts, with the Supplement to the above, and also the Honorable Company's Steamers and Ships of War, corrected and enlarged with considerable alterations and additions..... Rs. 2

Report of the Commissioners for Inquiring into the Naval and Military Promotion and Retirement..... Rs. 2

Proceedings of a General Court Martial held at Fort George on Captain D. G. DEFF, 16th Regt. N. I..... Rs. 1

BOMBAY SPORTING MAGAZINE.

MANY applications having been made to the EDITOR of this Journal, and promises of assistance given to get up a *Sporting Magazine*. It is hereby announced that the 1st No. of the BOMBAY SPORTING MAGAZINE was published on the 25th of December, and No. 2 will appear in March. The price to Subscribers is 12 Rupees a year, single numbers 4 Rupees. Communications will be thankfully received.

FOR SALE.—A few copies of the "CEYLON MAGAZINE" from No. 1 to 3, for September, October and November, Price 3 Rupees per Copy.—Apply at the Bombay Gazette Office.

Gentlemen desirous of becoming Subscribers to the above Periodical will be pleased to communicate the same to the Editor by letter post paid.

FOR SALE, at the Gazette Office;

Respondentia Bonds, each	Rs.	1
Ship's Articles.....	,,	1
Policies of Insurance.....	,,	1
Bills of Exchange, per set.....	Ans.	8
Interest Bonds.....	,,	8
Bills of Lading.....	,,	8
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ON SALE at the Godowns of Messrs. FORBES AND Co. a small quantity of London Particular Madeira Wine, from Messrs. KEIR AND Co. in Pipes, Hhds. and quarter casks, at Rs. 580. per Pipe Rs. 300 per Hhd. and Rs. 150 per quarter cask.

Bombay, 26th March 1841.

FOR PASSAGE TO LIVERPOOL.

THE fine First Class Ship "LANCASTER," J. JEFFERSON, Commander, 756 Tons Register, has superior accommodations for Passengers and carries a Surgeon, will sail on the 5th April.

For terms apply on board, or at the office of Messrs. HIGGINSON AND CARDWELL, Meadow street.

Bombay, 26th March 1841.

FOR MADRAS.

TOUCHING on the Malabar Coast and Colombo should sufficient inducement offer. The fine Barque "OORINGA PACKET," 300 Tons, Register, Capt. GIBSON, will have immediate despatch. For Freight or Passage. Apply to

THOS. JEFFERIES AND CO.

Bombay, 26th March 1841.

CIVIL APPOINTMENTS, &c.

TERRITORIAL DEPARTMENT, REVENUE.

Bombay Castle, 24th March 1841.

Mr. E. H. Goldsmid, delivered over charges of the office of superintendent of revenue survey of Nassick, to Lieutenant D. Davidson, on the 17th instant.

By order of the Hon'ble the Governor in Council,
L. R. REID, *Chief, Secy.*

GENERAL DEPARTMENT.

Bombay Castle, 23rd March 1841.

Surgeon J. Doig, deputy medical storekeeper at Belgaum, to resume his duties as civil surgeon at that station, from the 22d January last.

R. D. Luard Esq. returned to his duty on the civil establishment of this Presidency, in the Honorable Company's Steamer Berenice, on the 14th instant, with the permission of the Honorable the Court of Directors, without prejudice to his rank.

By order of the Hon'ble the Governor in Council,
W. R. MORRIS,
Secretary to Government.

POLITICAL DEPARTMENT.

Bombay Castle, 23rd March 1841.

The leave of absence on private affairs, granted to Mr. William Courtney, political superintendent at Sawunt Warree, under date the 2nd ultimo, is extended to the 27th ultimo, on the same account.

Mr. A. Malet, received charge, on the 9th instant, from Major A. T. Reid, of the office of the political agent in Cutch.

By order of the Hon'ble the Governor in Council,
J. P. WILLOUGHBY,
Secy. to Govt

JUDICIAL DEPARTMENT.

Bombay Castle, 18th March 1841.

Captain L. Brown, of the 5th regiment native infantry, is appointed, under the provisions of Act No. XIV. of 1835, an assistant magistrate in the Ahmedabad and Kaira collectorates, and commandant of the Guzerat kooly police corps.

Bombay Castle, 22d March 1841.

It is hereby notified for general information, that the judicial commissioner for the Southern Mahratta Country, may be expected to arrive at the undermentioned stations on the on the following dates.

Rutnagherry....	2d April 1841.
Dharwar.....	.. 28th Ditto.
Belgaum.....	... 17 May 1841.

Bombay Castle, 24th March 1841.

Captain A. F. Bartlst, assistant magistrate in the Poonah collectorate, acting commandant of the Poonah police corps and Superintendent of the city police, resumed charge of his office on the 8th instaut.

Mr. G. Grant, register of the sudder dewanee and sudder foujdaree adawlut, is allowed leave of absence for a period of to months, under section XI of the absentee regulation, to proceed to the Mahableshwur Hills, for the benefit of his health.

By order of the Hon'ble the Governor in Council.
J. P. WILLOUGHBY,
Secy. to Govt.

GENERAL ORDERS.

MILITARY DEPARTMENT.

BY THE HON'BLE THE GOVERNOR IN COUNCIL.

Bombay Castle, 18th March 1841.

No. 178 of 1841.—Lieutenant Marriott of the Engineer Corps, is placed temporarily under the Superintendent of Roads and Tanks, without prejudice to his present appointment of Adjutant to the Corps of Sappers and Miners.

No. 179 of 1841.—Captain Arthur of the 20th Regiment Madras Native Infantry, is allowed to proceed to the Nelgherries, with leave of absence for a period of two years, for the benefit of his health.

No. 180 of 1841.—Privates of Native Infantry, who under the G. O. C. 30th March 1810, Military Code, Page 272, were *bona fide* Acting Drummers and Fifers on the 30th April 1837, are entitled to draw the old rates of pay of Drummer from the dates respectively on which they may have been or may be appointed Drummers on the Establishment; but those employed as Musicians cannot be allowed the old rate of Drummers pay.

Bombay Castle, 20th March 1841.

No. 181 of 1841.—The Hon'ble the Governor in Council is pleased to notify, that whenever the 2nd in command of an irregular Corps may hereafter be called upon temporarily to perform the duties of Adjutant in addition to his own, he will not be entitled to any Extra allowance on that account.

No. 182 of 1841.—The following order is confirmed:—

An order by Major General Brooks, Commanding Scinde Force, dated the 26th December last, appointing Lieutenant Colonel Soppitt of the 20th Regiment Native Infantry, to assume command of the 2nd Brigade, until the arrival of Brigadier England.

No. 183 of 1841.—The undermentioned Cadets for the Artillery and Infantry, are ranked from the dates specified opposite their respective names, and posted to Regiments to fill vacancies as follows.

Rank as 2nd Lieuts. and Ensigns

1. William David Aitken, to rank as Ensign, Regimental rank 11th Dec. 1840, Army rank 11th Dec. 1840, appointed to the Regiment of Artillery not arrived.
2. Charles Boundler Fuller, to rank as Ensign, Regimental rank 11th Dec. 1841, Army rank 11th Dec. 1840, appointed to the Regiment of Artillery, not arrived.
3. John Worgan, to rank Ensign, Regimental rank 20th Feb. 1841, Army rank 11th Dec. 1840, appointed to the Regiment of Artillery, not arrived.

Infantry.

I. John William Schneider, to rank as Ensign, Regimental rank, 20th Feb. 1841, Army rank, 11th Dec. 1840, appointed to the 2nd Gr. Regt. N. I. not arrived.

2. James Wedderburn Hope, to rank as Ensign, Regimental rank, 3rd March 1841, Army rank, 11th Dec. 1840, appointed to the 26th Regt. N. I. not arrived.

3 George Edward Henre, to rank as Ensign, Regimental rank 17th March 1841, Army rank 11th Dec. 1840, appointed to the 1st Euro. Regt. not arrived.

4. Robert Bainbrigge, to rank as Ensign, Regimental rank 17th March 1841, Army rank 11th Dec. 1840, appointed to the 23rd Regt. N. I. not arrived.

5. Henry Phillips Tyacke, to rank as Ensign, Regimental rank 17th March 1841, Army rank 12th Dec. 1840, appointed to the 2nd Rt. Euro. L. I.

6. William Selwood Hewitt, to rank as Ensign, Regimental rank 17th March 1841, Army rank 12th Dec. 1840, appointed to the 11th Regt. N. I.

7. Edward Younghusband, to rank as Ensign, Regimental rank 17th March 1841, Army rank 12th Dec. 1840, appointed to the 9th Regt. N. I.

8. Daniel Bourchier, to rank as Ensign, Regimental rank 17th March 1841, Army rank 12th Dec. 1840, appointed to the 25th Regt. N. I. not arrived.

9. William Pirie, to rank as Ensign, Regimental rank 17th March 1841, Army rank 12th Dec. 1840, appointed to the 1st Gr. Regt. N. I. not arrived.

10. Jonathan Augustus Spry Faulkner, to rank as Ensign, Regimental rank 17th March 1841, Army rank 12th Dec. 1840, appointed to the 6th Regt. N. I. not arrived.

No. 184 of 1841.—The rank of the undermentioned Assistant Surgeons having been received from the Honorable the Court of Directors, Commissions are assigned to them from the dates specified opposite their respective names, as follows.

Medical Establishment.

1. Samuel McMorris,...2nd Jan. 1841
2. George James Shaw, M. D.....do.. do.... do.
3. Thomas Brooks Larkins,..... .....do.. do.... do.
4. Henry Stewart Moore,..... .....do.. do.... do.
5. Robert Dent,..... 4th.. do.... do.
6. Thomas William Ward..... .....5th.. do.. ...do.
7. Federick Ellis..... do.. do..... do.
8. William Thorn,...do.. do.... do.
9. Robert Ross Smith,..... 9th.. do.....do.

Not arrived
10. Patrick Cruick Shank,.....10th.. do..... do.
11. William Harry Pigon.. .....11th.. do.. ....do.
12. Richard DeCourcy Peel,.....25th...do.....do.
13. Gustavus King Dickinson,.....do.... .do.. do
14. Frederic Lodwick,...2nd. Feb...do.

No. 185 of 1841.—Lieutenant A. E. Saunders of the 2nd Regiment European Light Infantry, and Lieutenant F. Jackson of the 24th Native Infantry, are respectively allowed a furlough to Europe, for three years, for the benefit of their health.

Bombay Castle, 22nd March 1841.

No. 186 of 1841.—The Hon'ble the Governor in Council is pleased to publish the following extract, para. 1st of the Hon'ble Court's Letter, No. 8, dated 27th January last.

The friends of Private Hugh Cleverly of the 1st European Regiment at your Presidency, having paid into our Treasury the sum required by the Regulations for his discharge. We authorize you to grant him his discharge from the Company's Service. The payment of the usual passage money not having been made in this case, the Soldier will not be entitled to passage to Europe at the Company's expence.

No. 187 of 1841.—The Hon'ble the Governor in Council is pleased to publish to the Army the following Extract, paras. 1st and 2nd of the Hon'ble Court's Letter, No. 7, dated 27th January last.

We have appointed Mr. John Joseph Lawrie, now on his passage to India, a Cadate of Infantry on your Establishment, subject to the usual conditions.

2. Mr. Lawrie's order of rank will be transmitted in due course.

No. 188 of 1841.—The Honorable the Governor in Council is pleased to publish to the Army the following Extract, paras. 1 to 3 of the Honorable Court's Letter, No. 6, dated 20th January last.

1. We have permitted the undermentioned Officers to return to their duty, viz.

Captain G. J. Brown, in February.
,, C. Denton, } per "Lady East."
,, C. J. Calland, }
Assistant Surgeon Brickwell, per Florist."

2nd. We have granted additional leave to Lieutenant J. L. Jamieson, for six months.

We have permitted Lieutenant Alfred Welstead to retire from the Service. This vacancy has effected from the 17th December 1840.

Bombay Castle, 23rd March 1840.

No. 189. of 1841.—The Hon'ble the Governor in Council is pleased to cancel Art. 13, Sec. VI. of the Commissariat Regulations, and to direct, that in accordance with the practice in Bengal, the issue of grain from the Public Stores, for the Horses of Mounted Officers, in the Field, be allowed only, when it is not procurable elsewhere, and that it is to be paid for in such cases at its *actual coast to Government.*

By order of the Hon'ble the Governor in Council.
P. M. MELVILL, Lieut. Col. *Secy. to Govt.*

Military Arrivals and Departures.

ARRIVALS.

March 23d.—Lieut. Marry McKenzie, Bengal H. Artillery.
do. 25th. Ensign F. L. Lonesworth, H. M. 6th Royal, from Poonah.
do. do. Lieut. G. L. Lye, 1st E. Regt., from Barodah.

DEPARTURES.

March 24th.—Capt. J. C. Heath, 5th Regt. N. I., to Mahabuulshwar.
do. 25th. Capt. Scobie, Staff, to Mahabulishwar.

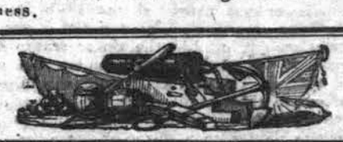
CONTEMPORARY SELECTIONS.

TIMES, MARCH 24.

CAPTAIN HARRIS'S "PORTRAITS OF THE GAME AND WILD ANIMALS OF SOUTHERN AFRICA.—After so many months of expectation, we have been not a little gratified by the appearance at last in Bombay of the first part of Captain Harris's "portraits of the game and wild animals of Southern Africa;" and we hasten to assure to his subscribers in the Mofussil, the treat they may anticipate from the receipt of this masterly and entertaining work. It is really a model of elegance, deserving of every word of encomium that has been passed on it in Europe—neither ability nor expence having been spared in doing justice to the artist-like paintings, with the exhibition of which the public of this presidency were indulged on the return of the authoy from his well-planned and enterprizing expedition to the remote wilderness which furnished him with the originals. The strictest Zoological accurracy is happily blended with all that freedom so inseparable from pictorial effect; and the six plates which adorn the number now before us, first rate in point both of execution and colouring, are so full of life and character, that we might almost fancy ourselves standing on the "great nursery of the desert" with all its motley host of four-footed denizens bounding around us "in light and liberty." What a contrast do they form to the cramped delineations of the same subjects which have hitherto appeared even in the more modern works on Natural History. Captain Harris's animals absolutely breathe, and appear to be walking out of the picture. Greatly as they differ in point of outline from all previously published figures of the African *Fauna*, we defy any one to look at them without feeling satisfied at once of their truth and correctness to nature; tangible corroboration where of is however afforded in the shape of vignette tail-pieces, tastefully executed in lithography by the clever artist, Mr. Frank Howard, from the extensive and valuable collection of *Spolia Opima*, which was formerly exhibited with the drawings in the Town Hall.

For our own parts, we award no small credit to the author for the fact displayed in the selection of subjects for this, the introductory number of his work. Without at all satisfying the curiosity of the subscriber, it affords an excellent foretaste of what is to be enjoyed in the parts which are to follow. The *etite* of the African Fauna have been for the present withheld, but we have a happy amalgamation of the eccentric, the elegant, the brilliant, and the bulky; nor do we know whether most to admire the man-cap Guno, the clean-limbed Gazelle, the painted Zebre, or the burly Eland. The style of execution is also extremely judicious. Tinted lithography is to our taste admirably suited to convey the broad, hazy indistinctness of an African landscape—its blue distance floating under a molten sky, and a filmy veil of mirage, while the parched and sunny foreground is made up of bright reds and yellows. We would recommend those whose eye—unaccustomed to the contemplation of such desert scenery, may feel offended at its appearance—to suspend their judgment until they shall have perused the graphic and spirited sketches which bring the reality of the haunts before us no less forcibly than the habits and peculiarities of the tenants. Full of stirring incident, the whole of the letter-press forms a most worthy accompaniment to the plates; and whilst Captain Harris's drawings are almost alive, his descriptions may be fairly said to speak.

We understand that of five hundred copies of this splendid work which have been printed, there are still about one hundred on hand; and we cannot doubt that so soon as its merits shall become known these will be eagerly purchased. We recommend it to especial notice, and look with great anxiety for the succeeding parts, of which the second, already published, may be expected in this country in a few months. Some difficulty appears to exist with respect to subscribers' copies, and we would suggest to those who have not already nominated agent to receive them, that they should early express their wishes to Messrs. Forbes and Co, who are entrusted with the management of the business.



Marine Department.

NOTIFICATION.

Notice is hereby given, that it is the intention of the Honorable the Governor in Council, to despatch a Steamer, with a Mail for Suez, on Thursday the 1st of April next.

By order of the Hon'ble the Governor in Council,
P. M. MELVILL, Lieut. Col. *Secy. to Govt.*
Bombay Castle, 5th February 1841.

Notice is hereby given, that it is the intention of the Honorable the Governor in Council, to despatch a Steamer, with a Mail for Suez, on Saturday the 1st of May next.

By order of the Hon'ble the Governor in Council,
P. M. MELVILL, Lieut. Col.
Secretary to Government.
Bombay Castle, 12th March 1841.

Shipping Arrivals and Departures.

ARRIVALS.

March 25th, Steamer Medusa, Mr. A. J. Morrison, Commanding, from Kurrachee 22nd March. *Passengers.*—H. Coulfield H. M. 40th Regt.

Do. The E. I. C. Cutter Margaret, Murjee Alby, Syrang, from Surat.

SAILED.

March 23d, Ship Hugh Walker, W. W. Rice Master, to Clyde.

Do. Barque Arab, F. Hedges, Master, to London. *Passengers.*—Mrs. Hedges, 2 Children and Servant.

Do. 24 Ship Autit Rahimon, W. C. Lugrin, Master, to China. *Passengers.*—Mrs. Kempty Mrs. Lugrin and 2 Children.

Do. Arab Ship Fezrabany Hajee, Husson Nassen Nacodah, to Muscat. *Passengers.*—26 Natives.

Do. Ship Julia, W. Eams, Master, to Singapore and China.

Do. 25th Portuguese Barque Marquis of Hastings C. A. Ozaris, Master, to Singapore and China. *Passengers.*—J. F. Oliveira and 1 Native.

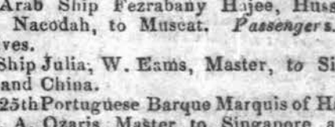
Do. Grab Brig Harsingar, Hajee Woomen Nacodah, to Malay Coast and Calcutta.

Shipping in the Harbour.

R. I. C. VESSELS.	E. I. C. STEAMERS.
Receiving Ship Hastings.	Indus.
SCHOONERS	Auckland.
Taptee.	Cleopatra.
Royal Tiger.	Berenice.
BRIG.	Sesostris.
Palinurus.	Hugh Lindsay.
	Medusa.
	Cutter Margaret.

Merchant Vessels.

ENGLISH.	
Charles Grant.	Champion.
	Chieftain.
COUNTRY.	
Canderbux.	Roopaulay.
Pittamber Savoy.	Yatch Prince Rigent.
Caroline.	Asia.
Colonel Newal.	Amoody.
Essavie.	Dawlat Savoy.
Maria.	Jehangier.
Ruby.	Wild Irish Girl.
Fanny,	Malik-ool-Bahr.
Hydroose.	Cursetjee Cawasjee.
Alexander Robertson	Shaw Allum.
Ruparell.	John.
Hamoody.	Futhel Barry.
Caroline (Do.)	Brig and.
Sophia.	Victoria.
Cady Grant.	Kusrovie.
Ratier.	Dodoloy.
Corsair.	Coringa Packet.
Drongan.	Oleve Branche.
FRENCH.	
LaAdele.	
ARAB.	PORTUGUESE.
Harsingar.	Brig (War) Cassador Africano.
Lodease.	Brig Simplicia.
Hamonshaw.	Brig Novo Viagents.
Shawee Shaw.	
Earl of Balcarras.	
Reliance.	Wave.
British Merchant.	Lancaster.
Hope.	Carnatic.



CORRESPONDENCE.

TO THE EDITOR OF THE BOMBAY GAZETTE.

DEAR SIR,—Your remarks in the *Gazette* of Yesterday morning on the utility of Mechanics Institutions, and your proposal for the Establishment of one on this island, are good and praiseworthy. It is indeed to be regretted that Bombay should be such a laggard in all measures of public usefulness, public amusement, or public instruction. Propose to any one the establishment of a School of Industry for Vagrant Children;—the reply, after a prefatory yawn, will be something like the following—"Pon honor I don't see the utility of such a thing:—we've done very well without one hitherto!" Say to another—A Mechanic's Institution is a very useful hing and would prove an excellent vehicle for conveying instruction to the mass.—"Ah yes, as you observe, a very excellent institution I have no doubt."

Follow up this admission with a home thrust question;—"will you lend your countenance to the formation of one. Hark to the reply Mr. Editor—"Why—really—I have no doubt in my own mind of its utility! and should like very much to see a Mechanic's Institution set on foot in Bombay, but I cannot mix myself up in a matter of this kind without seeing it better supported."—This would be the answer probably of ninety-nine out of a hundred to whom you might put the question—Whisper, mind I say *only whisper* to a third. "How pleasant it would be if we had a nice little Theatre here in which we might see enacted some of our good old English plays,

What a pleasure it would be—what an amusement and relief to some dozens of people dying of ennui or perhaps indulging in some far more

censurable pursuit." If an avalanche had fallen at his feet it would not have inspired your auditor with more dire dismay than your whispered remark. "Sir," he would exclaim, with a pursed up look, and a mouth screwed down into a sanctimonious expression, as visions of loss of patronage, and perhaps of place would flit accross his perturbed imagination:—"Sir I cannot give this project any support, believing as I do that all plays are instigated by the Devil, and their authors inspired by the same personage. I look upon a theatre as a moral pest-house, a temple erected by impious hands and dedicated to SATAN!!"

And thus it is that Bombay is stagmatized and very justly too as the dullest and most illiberal place in Christendom, such puritanical hypocrisy is disgusting and we cannot express sufficient contempt for those who contrary to every precept of truly rational religion are for ever.

"Watering with one eternal tear the eye
And making lovely life one lengthened sigh."—

Maugre our religious friends I'll quote you a passage from Peter Pindar, who in spite of a small spice of immorality makes many a true and sage remark.

"Who told man that he must be cuts'd on Earth?
"The GOD OF NATURE?—No such thing!
"Heaven whisper'd him, the moment of his birth,
"Don't cry my lad but dance and sing;
"Don't be too wise, and be an ape:
"In colours let thy soul be dressed, not Crape."—

But to be serious Mr. Editor I would like to see you take this matter up a little more warmly for I have been digressing a little. Point out the many advantages attendant on an establishment of this kind, and I do not despair of seeing in a shor time a Bombay Mechanee's Institution.

I send you an article on Mechanics Institution in general, which you can if you please transfer to the Columns of your Journal.

Your's obediently,
A MEMBER OF THE
CALCUTTA MECHANIC'S INSTITUTION
Bombay, 25th March 1841.

MECHANICS AND MECHANICS' INSTITUTIONS.*

MR. CLAXTON, is what we may term a mechanic of the *right sort*,—a self-taught man, who, having helped himself through life, wishes all his brother mechanics to do the same. He accordingly sets great value on self-instruction, and certainly we have no wish to depreciate it; for whatever may be the defects incident to the education of a self-taught man, he usually exhibits a force of character, which enables him frequently to outstrip his competitors. Working men, too, must usually be self-taught; for obliged as they are to commence earning a subsistence early in life, much that they acquire must be obtained in time taken from their brief moments of relaxation, when the tired body and mind naturally shrink from anything in the nature of mental exertion. This must still continue to be the case to a large extent, even though the present generation, to use Mr. Claxton's phrase, "lives in clover," as compared with the past.

Mr. Claxton tells us that he was "born in the year 1790, about a hundred miles from London, and one mile from a small market town." His father was a day-labourer; and he himself took care of a flock of sheep, and afterwards worked "in a garden for supplying the market, till I was near thirteen, when I was apprenticed. My father gave me the choice of being a carpenter or a whitesmith. I chose the latter; and have continued in that business, or kindred branches, now over thirty years. I was to serve seven years for certain weekly wages, and ten pounds were to be added at the end of the term, if I was thought to deserve it." He passed his apprenticeship creditably, picking up information as he could; and, having a strong partiality for mechanical pursuits, by trying his had in making ingenious toys and gimcracks. When he had served out his time, his master gave him ten pounds, and inquired what he should do with himself. "'Go to London, sir, answered I, for I had made up my mind. 'Well, Tim,' said he, 'keep your right hand forward, and you will do well enough;' and he gave me a hearty farewell enough."

"I reached this great city in April, 1810. From the circumstance of having lived in a rural district, I had then never seen so much as a steam-engine, or heard a lecture on anything, or read a book connected with the arts and sciences, save what I have mentioned, and a poor Geogrsphy borrowed for a short time. The reader will bear these things in mind. He must make allowances for the generation of mechanics of that day, which are not to be taken for those of this. A man, or a boy, then, might possibly talk with some plausibility of the lack of opportunities. Nothing had then been done to cheapen, and circulate, and simplify useful knowledge for the mass of the people. There were no Mechanics' Institutions—no popular libraries or reading rooms—no lectures which we operatives could get at, or understand if we did."

"I was," continues Mr. Claxton, "just twenty-five years of age, when I saw for the first time a course of lectures announced. It was on Natural Philosophy and Chemistry. The talk about pneumatics, hydrodynamics, &c., was of course all Greek to me; but looking farther down, I found notices of experiment to be made on engines, and so on, and so I bought a ticket, and attended the first lecture. This pleased me so much that I took notes, and also drew sketches of the apparatus. Going home, I sat up very late to write out all I could remember of the lecture; and here my juvenile practice helped me again, even the tiresome copying I used to do for my father. So I went on, from October 1815 till the next April. Then I got a book on Natural Philosophy, and followed the subject up, for there's nothing, I found, like '*striking while the iron is hot.*' Then I made various articles to try experiments with, which my mechanical practice rendered easy work. I went to a second course, and then to others given by other persons. Finally, I applied for admission to a Philosophical Society; but, alas! one wanted friends at court in those days. Never discouraged, however, what should I do in such a case? Let any machanic of this generation imagine himself living twenty years ago, and consider. 'Why,' thought I, "I am *a mechanic*, and though that is the very reason why I wish to be admitted, and why I should be, it is the very reason why I wish to be admitted, and why I should be, it is the very reason also, why I am not.' It is clear, then, the mechanics must look to themselves, and to each other. Well, a number of us having talked it over, I wrote a circular, dated June 24th, 1817, (it was well I could write one,) got it printed, and sent it round town." This was six years before the London Mechanics's Institution was ormed.

The result was, that a small society was formed, called the Mechanical Institution, which existed about three years, from 1817 to 1820. Mr. Claxton acted as secretary. In the last-mentioned year he went to St. Petersburg, being employed to erect gas-works in a large building, used for the transaction of the military business of the Russian government. Here he remained three years. In 1823 he left Russia for Boston, United States, and engaged to work in a machine-shop at a cotton factora, situated something less than thirty miles from Boston, where he was engaged till 1826, and took a leading part in a society for reading and mutual instruction, which was in existence before he arrived. On his return to Boston, he joined in promoting the formation of the Boston Mechanics' Institution.

Mr. Claxton's object in telling his story, is to give, from his own personal experience, a practical illustration of the utility of knowledge to a working man; and thus to lend force to his exhortations. "The great majority of my fellow-craftsmen," he says, "have had at least a sufficient inkling of information and self-culture to *begin* to relish their sweets and realise their good. He wishes them to go on. "The mechanics," he adds, "have found out that they *are* ignomuses; and that while there is no reason on earth why they should continue to be so, there is every reason why they should *not*: and this is a great point gained—it is half the victory. Hence, among other things, the improved character and amazing cheapness of popular books. Hence the magazines, and papers, and reading rooms, and people's libraries, and societies of useful knowledge, and similar institutions. The people have waked up, and there is a demand, an outcry, a market for these things."

Mr. Claxton is much interested in Machanic's Institutions. He gives a sketch of their origin; and has been at pains to collect information for a tabular list of institutions throughout the country. He things, however, that there is room for improvement, not merely in the numbers of these institutions, but in their practical working and chararacter. His table gives the names of twenty such associations in London, and nearly sixty in the provinces, besides the names of forty-eight towns where similar societies exist, but respecting which he had not obtained particular information.

EXPLANATION OF THE FOLLOWING TABLE.

Col 1.—This mark (o) denotes the possession of a separate hall or building.
Information of a date prior to 1838 is denoted thus—(1836).
..2—Date when established.
..3—Number of Members of all Classes.
..4—Annual Subscriptions of Ordinary Members. In many cases the payments are made Quarterly, Females, Minors, and Students, generally pay less, and Proprietors and Honorary Members in some cases pay more than Ordinary Members
...5—Number of Vols. in the Library. Ex. L.—Extensive Library.
..6—Lecture Evenings M. Tu. W. Th. F. &c. stand for week-days: Occa for the Occasionally · and Al. M. for Alternate Mondays. &c. The Lectures commence in London at Eight or Half-past Eight o'Clock; and in the Country from Half-past Seven to Eight.

London and Vicinity.	Estab.	Mem.	Sub.	Vols.	Lectures.
			s. d.		
°London Institution, *Finsburg-circus*..... (The members are all Shareholders.)	1807	960	30 0	40000	Twice a Week.
°London Mechanics' Institution,..... 29, *Southampton -uild Chancer-la.*	1823	1100	24 0	7000	W. & F.
°Aldersgate-street Institution,.....	1825	1000	42 0	7000	Wed.
°Western Lit. and Sci. Institution,.. ..... 47, *Leicester-square.*	1825	500	42 0	7000	Thurs,
°Eastern Lit. and Sci. Institution,..... 83, *Hackney-road.*	1825	250	21 0	1700	Tues.
°Marylebone Lit. and Sci. Institution,.. .. .. 17, *Edward-street Portman-square.*	1832	550	42 0	4500	Mon.
°Islington Lit. and Sci. Society.....	1833	430	42 0	3300	Thurs,
Rahere-st, Mutual Instruction Soc..... 73, *Rahere-street, Goswell-road.*	1834	40	6 0	200	Wed.
Lion-street Mutual Instruction Soc..... *Lion st. Chap. New Kent-rd. Southw.*	1835	12	4 0	40	Thurs.
Milton Institution,..... *Milton-street, City.*	1836	150	20 0	600	Mon.
Botanical Society of London..... 75, *Newman-street, Oxford-street.*	1836	100	21 0	200	1st and 3rd Friday.
Tower-street Mutual Instruction Soc.. ..... 16, *Great Tower-street, City.*	1836	60	4 0	800	Mon.
°Westminister Lit. Sci. and Mec. Inst.. ..... 6 & 7, *Gt. Smith-st. Westminister.*	1837	395	24 0	3000	Thurs.
St. Pancras Lit. and Sci. Institution..... *Colosseum House New-road.*	1837	90	20 0	300	Tues.
Poplar Institution..... *East-India-road.*	1837	102	20 0	.....	Tues.
Society for promoting Practical Design..... *Saville House*, 6, *Leicester-square.*	1837	200	21 0	.....	Tues.
Young Men's Red. & Intel. Improv. Soc.. .. *Hinde-st. Chapel, Manchester-square.*	1838	38	1 0	None	Tues.
South London Mutual Instruction Society.... 74, *Blackman-street, Borough.*	1838	30	8 0	70	Mon.
Pestalozzian Association,..... *Worship-square.*	1838	30	6 0	200	Mon.
Maze-Pond Mutual Institution Society.. .. ... *Maze-pond Chapel Southwork.*	1838	15	4 0	None	Al. W.

Provincial Institutions.	Estab.	Mem.	Sub.	Vols.	Lectures.
			s. d.		
Barnsley Machanics' Institution....	.....	152	20 0	....	Occa.
Bath Machanics' Institution.....	1825	350	10 0	1900	Occa.
Birmingham Machanics' Inst. (1836)..	1825	300	....	1000	Occa.
Bolton-le-Moors Mec. Inst. (1836.).....	1825	224	....	1600	.....
Bradford Machanics' Institution..	1832	541	10 0	2506	Occa.
Brentford Machanics' Institution..	1835	256	8 0	627	Fortnight
Bungay Lyceum.....	1836	.....	4 0	100	Occa.
Bury St. Edmund's Mechanics' Institution.....	1824	110	10 6	830	Occa.
Colchester Machanics' Institution.....	1833	142	8 0	600	Fortnight
°Coventry Mechanics' Inst. (1836).....	.....	300	10 0	3000	Weekly
Deptford Mec. Inst. (Revived 1838).....	1825	60	16 0	160	Tuesd.
°Derby Machanics' Institution	1825	50	10 0	2200	Occa.
Devonport Mechanics' Inst. (1837).....	1825	130	....	3000	Weekly
Dewsbury Mechanics' Institution.....	1825	20	....	146	Occa.
Edinburgh School of Arts (1836)..	1821	451	12 0	Ex. L.	....
Gateshead Mechanics' Institution.....	1836	250	10 0	1200	Occa.
°Glasgow Mec. Class, Anderson's Inst.....	1800	250	10 0	2072	Tw. a Wk.
°Glasgow Mechanics' Institution.....	1823	800	21 0	4000	M. T. W. Th. & F.
Greenwick Soc. for Useful Knowledge..	1837	170	10 0	400	Tu.—Th.
Halifax Mechanics' Institution.....	.....	417	8 0	....	Occa.
Hammersmith Lit. Sci. & Mec. Inst.....	1837	250	10 0	500	Frid.
°Hundersfield Philosophical Society..	.....	310	10 0	1200	Weekly
°Hull Mechanics' Institution (1837).....	1825	500	8 0	1700	Weekly
°Ipswich Mechanics' Institution (1837).....	1825	330	....	5000	Alt. Mon.
°Keighley Mechanics' Institution	1825	119	8 8	896	Occa,
Leeds Mechanics' Institution..	1825	260	10 0	1270	Occa.
Lewes Mechanics' Institution.....	1825	189	....	1450	Occa.
°Liverpool Mechanics' Institution.....	1825	2286	21 0	Ex. L.	W. & S.
Lynn Mechanics' Lit. and Sci. Institution.....	1827	170	12 0	Ex. L.	Occa.
°Manchester Mechanics' Institution.....	1825	1392	20 0	4400	M. & F.
°Manchester Athenæum.....	1836	1159	30 0	3134	Weekly
Newcastle-upon-Tyne Mec. Inst. (1837).....	1824	791	12 0	Ex. L.	Weekly
Norwich Mechanics' Institution.....	1825	146	10 0	1400	Alt. Tu.
Otley Mechanics' Institution.....	.....	80	5 0	....	Occa.
Peterborough Mechanics' Institution.....	1831	110	8 0	570	Occa.
°Plymouth Mechanics' Instution.....	1825	150	13 0	1000	Wedn.
——— Treville-st. Mut. Inst. Soc..	1833	6	6 0	....	Weekly
Portsmouth Mechanics' Institution.....	1825	70	6 0	400	Weekly
°Potteries (Staff) Mec. Inst. (1836).....	1826	260	10 0	1000	Fortnight
Pudsey Mechanics' Institution.....	.....	61	6 0	371	Occa.
Ripon Mechanics' Institution.....	1831	50	10 0	300	Occa.
Sheffield Mechanics' Library (1836).....	1824	671	6 0	4215	.....
Sheffield Mechanics' Institution..	1832	352	8 0	2506	Occa.
Sherborne Institution..	1835	100	6 0	400	Occa.
°Southampton Mechanic's Institution.....	1830	328	8 0	900	Wedn.
Stirling School of Arts (1836)..	1826	281	4 0	1000	Occa.
Sudbury Mechanics' Institution.....	1834	72	8 0	508	Occa.
Tiverton Reading Society.....	1838	28	10 0	....	.....
Todmorden Mechanics' Institution.....	.....	129	12 0	390	Occa.
°Winchester Mechanic's Institution.....	1835	122	13 0	435	Occa.
Windsor Mechanics' Institution..	1835	174	8 8	300	Fortnight
Woodbridge Lit. and Mec. Institution..	1836	200	10 0	2000	Fortnight
Woolwich Institution..	1838	200	12 0	300	Alt. Mon.
Yeadon Mechanics' Institution.....	.....	42	6 0	.....	Occa.
°York Inst. of Pop. Sci. and Lit.....	1827	202	10 0	1419	Tuesd.

"The particulars given with the list of institutions have been nearly all made up from recent official returns furnished for the purpose. Lectures are delivered in the winter season only, except in a few instances in London and other large towns. The classes, however, in many cases pursue their studies the whole year; and their numbers vary, in different institutions, from one or two classes to a dozen or more, as is the case with the London Mechanic's Institution. It is becoming now a prevailing opinion that the efficiency of the whole system depends very much upon these classes, or evening schools, as they are sometimes called. In fact, the "Union of Mechanics' Intitutions" in the West Riding of Yorkshire, acting upon this principle, are devising means for employing suitable persons to reside among them for the purpose of instructing the classes, and also suitable lectures for the institutions. "The Central Committee" is located at Leeds, of which Mr. Thomas Plint, of that town, is the secretary.

"Some persons may ridicule the insertion of so small an institution as the Plymouth Treville-street Society because they know not the spirit of this *little band*, and the good which this, as well as many other small societies, are doing.

"There are many institutions for popular improvement, of various grades, in the principal towns, besides those named in the table. and others in various parts of the country, of which our information is only sufficient to give the localities of a small number."

* Hints to Mechanics, on Self Education and Mutual Institution. By TIMOTHY CLAXTON, London: Taylor and Walton, 1839.

"Nothing extenuate, nor set down aught in Malice.

THE GAZETTE.

Friday, March 26, 1841.

WE learn that Two Steamers are in orders to proceed to Scinde, which are to convey a large body of European recruits for H. M. 40th 41st and other Corps in Scinde &c. Report also says that H. M. 17th Foot are likely to revisit the scenes of their former conquests and that Two Native Regiments are also to be despatched to that quarter. We think it highly probable that Her Majesty's Corps may go, but as to the Two Native Corps we take leave to express our doubts on the subject From whence are they to come? We believe we may say without contradiction that orders were sent some time ago from the Government of India directing the Bombay Government to augment the Scinde Force but a reply was sent that there was not even a Wing of a Corps available for the duty. If the 15th Regiment N. I. be sent as has been talked of, what Corps can he brought to supply its place? If we are to have no augmentation why not embody a Militia for the Fort Garrison duties as was done years ago in Sir Charles Colvilles time? Our Seapoys are already hardworked and no one can accuse the Bombay Troops of eating the bread of idleness! It has long been rumoured that four Regiments were to be added to our Ranks, bnt we suppose stern necessity will alone compel our Honorable Masters to agree to such an additional outlay, especially while the expences of Upper Scinde alone are Sixty lakhs, and with Lower Scinde and Affghanistan may be estimated at little short of Two Millions and a half. Luckless was the day when first our forces entered Scinde! From that hour, our expences have gone on augmenting, and now there is no looking back, no withdrawing our feet from the land, but we are pledged to subdue a wild people and support an intrusive Monarch on a tottering Throne. What ultimate advantages may accrue to our Commerce from the opening of the Navigation of the Indus, and the additional Marts for our Merchandize we know not, but at present the fruits of our conquests are not gratifying, and those which have arrived at maturibly are fair to look on, but like the Dead Sea apple prove bitter ashes to the taste The advance of the Persians on Herat is still confidently spoken of in some quarters, while in others there are Officers of matured judgement who doubt its probability. That they either have or will speedily occupy Herat is very probable, but from what we have heard of the constitution of a Persian Army we almost feel inclined to doubt its movement towards Candahar, without assurance of strong support from the inhabitants of the Country. The Persians are not ignorant of the superiority of European Tactics. Our own Officers have formerly assisted to discipline them, and their leaders must dread an advance into a Foreign Country where operations could be conducted on their flank and rear and their communications be cut off. If however the Persian Army really pushes on to Candahar, the event of one battle will probably decide their fate, and they will retire humbled within their own frontier. Lamentations have been made over the unprepared state of the defences of Candahar and Ghuzni which we think very unnecessary. If once it happens that we are obliged to take up our post in fortifications for our defence in Affghanistan, the Game will be over and we may turn back towards Hindoostan as soon as we like. The Persians must be met and conquered in the field, and if they do come at all we have no doubt it will be our agreeable duty to chronicle such a defeat as will humble Persian pride, and snch a thrashing to use their own saying "as their fathers never saw even in a dream."

WE have received a communication from "a member of the *Calcutta Mechanics Institute*" who concurs in our view of the advantages such an Institution would confer on us in this Island. He has also favored us with a Paper on the different Mechanics Institutions in England copied from "the London Saturday Journal." It appears that the annual subscriptions to them vary from 42 Shillings per annum in the Metropolis to 6 Shillings in the Country Towns. At most lectures are delivered, and Libraries from 40,000 Volumes down to 40 are established. We are convinced that aSociety of this sort would do incalculable good here. By the signature of our Correspondent we observe that Calcutta possesses an Institute, and we should be glad to learn what its Rules and Regulations are, what the number of members, how conducted, together with the amount of Subscriptions and the state of their Library? We would call also on our Native friends to encourage a measure of this sort in this Island, as we are sure it will be found highly beneficial to the Native rising generation. Such a Society does not require extensive outlay or Patronage. Its objects only require to be explained to be appreciated. If a few of the talented men among us would come forward and say, "We are prepared to lecture," auditors would soon be found and the affair would be put in train. We have as ourCorrespondent truly says no Theatre and no amusements, now however we suppose the Public of Bombay would scarcely be so strait laced as to object to people meeting together to hear scientific lectures. Chemical affinity might be discussed without any mingling of the passions, and electricity confer the shock without awakening thoughts of the blue or black eye which often causes the heart to vibrate in a manner scarcely less startling. Laying aside all joking on the subject, we would urge this measure on the attention of the Public, satisfied that it is pregnant with instruction and advantage, as well as pas time and rational amusement.

WE have reprinted a notice of Captain Harris's work on the wild animals of Southern Africa form "the *Times*," and fully agree in the euloguim passed by our Contemporary on it. The delineations of the Animals are very spirited and coloured to the life, while the landscapes give an excellent idea of the general features of the Country. We have seldom seen any work on natural history so nicely got up, and we think it a valuable addition not only to the Libraries of the learned, but the tables of the Drawing Room and Boudoir.

WE find on further inquiry that we were wrong in saying that General Brookes and his Force had entered the Bolan Pass. A part only of his Troops have been pushed on, and the head Quarters up to the 5th of March were still at Kujjuck. Very heavy rain had fallen and the Troops were suffering much from wet and mud. A sale of the plunder found in the Town was going on and great hopes are entertained that a large sum will be realized, which we sincerely hope for the sake of the Captors, who have to say the truth to use the vulgar proverb hitherto "had more Kicks than halfpence. The death of poor Colonel Wilson is very deeply regretted by the whole Army.

Bombay is now getting too hot to hold the elite of Society, and the cool breezes of the Hills invite all who can get away from the Desk or Parade, and "away away to the mountains brow" is the universal theme of song. This weather is the paradise of the Bungalow wallah's, and those at Nagotna, Mhar, and Poladpoor are smiling and ready to offer their services as Trapbois says "for a consideration" to the brave and fair Votaries of Hygeia. The Shopkeepers at Malcolm Pait have prepared an elegant assortment of goods to tempt the purses of the extravagant, and lots of water creases and strawberries, Potatoes and Green Peas await the Gourmands from the old Chinamans Garden. His Excellency the Commander in chief we believe leaves this on Saturday, the Head Quarter Staff follow him. House Rent at the Hills is extravagantly dear, and those who have good Bungalows to let will find it no bad speculation. We hear that the artificial Lake in the valley of the Yenna has "sprung a leak" we trust the bund may soon be "Caulk'd up" again as nothing but water is requir'd to make the scenery at the Hills almost perfect. We are rather astonished that no enterprising individual sets up a good Hotel at Mahublushwar, an attempt of the kind

Digitized with financial assistance from the Government of Maharashtra on 28 June, 2017

was made about two years ago which failed from bad management and want of encouragement. The plan for a good Building of this sort would be to have a number of small detached Bungalows with a large Salon for a Table d' Hote. With moderate charges and attention an establishment of this kind must answer, as casual visitors from Bombay alone ought to make it pay in one or two seasons

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Io Pæan ! ! ! the Officers of the Bombay Army have arisen from their slumber of indifference, and have actually set a foot a proposal for a Retiring Fund on the plan of Captain Mackenzie of the Madras Army. "Better late than never," and as the matter really concerns the welfare of the Army whose best interests for the sake of old associations, we feel bound as well as pleased to advocate, we have reprinted the whole Prospectus. By the operation of the projected Fund, four line steps annually are to be gained, and including Casualties promotion is to be brought to each Regiment once in four years instead of seven and a half, which was the previous general average. A glance at the List will shew that Major Saunders for instance who is near the centre on the list of Major's was promoted on 4th September 1837. He is now 12th on the list and will probably be three years more before he gets his Lieut. Colonelcy without the establishment of the Fund We are given to understand that 8 Lieutenant Colonels are already disposed to accept the Bonus. In the Madras Army seven eighths of the Officers have acceded to the Fund, and it is already in operation as the Government of that Presidency have instructed their Pay Master to receive the Subcriptions &c. We do trust that no time will be lost here and no unnecessary delay incurred. We would advocate "A long pull and a strong pull and a Pull altogether" if it is intended that the measure shall take effect. We have no doubt, that no sooner will this subject be broached, than numbers of Arithmeticians and Theorists will start up and propound Schemes of their own. Such a line of conduct will only be a hindrance to the establishment of any Fund, and we would earnestly intreat all hands if they want a Fund to support the present proposition. It may be faulty in detail but that can be rectified during its progression, only get up the Fund, acknowledge the principle and afterwards fight the battle over the details. The Proposition comes out under sanction of the highest names in the Army and we think gratitude is due to those Officers for their proposal. From the first we have been the unceasing advocate of a Retiring Fund, the opportunity now offers and we would earnestly entreat all concerned to give in their adherence at once. The young Officer may be indifferent as his chances of advantage are remote, but we would still urge him to shorten the period of his exile and look to futurity as well as the enjoyment of the passing moment. To the grey headed elder Subaltern and the time and climate worn Captain and Field Officer we are sure no argument is necessary to make them join heart and purse in the design. Our Rulers also are more interested than would at first appear. By the operation of a Retiring Fund, they will get men in the prime of manhood and the full use of their faculties into command of their Regiments. The Service will get an impulse, and the "sickness of hope deferred" being once removed, we may look for an increased zeal for the Service and all the con-comitant advantages so much to be desired. Those who once contemplated laying their bones in this land of exile will now look forward to a return to their Native land, to the scenes of their earlier aspirations and fondest hopes. Steam Navigation has now brought us, as far as regards time to one half the distance from Europe to what we were a few years back, and it will soon be as common to take a trip to Eugland as to the Neilgherries and not much more expensive. Such communication will revive all our old ideas of home and English Life and comforts, and many more will now try to accomplish their term of service speedily and return to their Native Country with rank, and coin sufficient for comfort and respectability, than when six months voyage and enormous expences made a passage home a sealed book to the majority of the Services. Finally we challenge the attention of the whole Army to the Prospectus and details, and would (although we now can derive no benefit,) call on our quondam brother Officers to come forward and give the plan, their support. Like the Irish Officer who said "he always fought first and discussed the quarrel afterwards as he was sure to be on the on the safe side") we would say—Support the present measure, Come forward with your subscriptions. Hereafter if any faults are found in the detail you have the heads of your Service to deal with, who from their character and position will not only see your wishes attended to, but will use every means in their power to push your interests with which their own are involved, and from which they are certainly clearly indivisible. One word more, discussion ruined "Curnins Fund" The Moore Fund" and every measure for the general weal. To our Officers, we would say follow a good example, the Mulls are not exactly blind, they have taken the leap. Push on in their wake only be true to yourselves and Rank, Coin, and early retirement to the land of your forefathers are within your grasp.

Proposal for a New Retiring Fund.

TO THE OFFICERS OF THE ARMY.

GENTLEMEN,

OUR Brother Officers at Madras have established a RETIRING FOUND, and Government have sanctioned the receipt of the Contributions by Paymasters. That promotion will be much accelerated is so evident that it is unnecessary for us to offer any remarks on the subject.—Should we not adopt the scheme, we must submit to supercession without murmuring, as he remedy is now in our hands, and if the Madras and Bombay Armies should are be united, our lukewarmness in the cause, will be the more severely felt by all; the plan now submitted is exactly Captain McKenzie's, adapted to the strength of the Bombay Army.

You are requested to signify to the Secretary of the Military Fund, your assent or otherwise to the proposed scheme, and in the former case to forward a List of five Officers at Bombay, to from a Committee, for carrying out the blan, and framing the necessary rules for its management, a reply at your earliest convenience is desirable.

We have the honor to be, &c.
J. H. DUNSTEWILLE, Lt. Col.
S. POWELL, Lt. Col.
N. CAMPBELL, Lt. Col.
HAGART, Major.
J. SWANSON, Capt.
G. J. JAMESON, Capt.
H. J. BARR, Lieut.

THE followis a Copy of the Madras Retiring Fund by Capt. McKenzie; the calculations being altered and adapted to the Bombay Presidency.

1st It will, no doubt, be readily admitted that the same principles should regulate both Army and Regimental purchase, and that a Fund combining both objects, in as far as the one immediately operates on the other, would most efficiently tend to the grand object of promotion, to this then attention has been directed and the plan now suggested (a comprehensive outline of wich is all that will be here required) is accordingly *found on a Scale for Regimental purchase*, the principles of which are carried out so as to adapt the scale to the Infantry in general. The subject, it will be found, is here reduced to one of *indisputable simplicity*. The scale comprises 1000 shares, a certain number of them being apportioned to each Officer, according to his standing, and the advantages he is supposed to derive from the step; these being multiplied by any number, give the aggregate in as many thousands. For instance, if it be required to raise Rupees 25,000 in a Regiment to purchase out its Major, multiply the share apportioned to each respectively by 25, and the result will exhibit the shares to be contributed by each towards that sum; their aggregate will be the amount required—Thus:

	Numbers of shares to be contributed by each.	Multiply by 25 the number of thousands required.	Share of 29,000 Rupees to be paid by each.	Relative value of each Officer's position in the Regt.
1st Capt. to be made Major.	400	25	10,000	15000
2nd ,, 1st Captain.	120	25	3,125	11875
3rd ,, 2nd ,,	56	55	1,400	10475
4th ,, 3rd ,,	43	25	1,075	9400
5th ,, 4th ,,	27	25	675	8725
1st Lieutenant 5th ,,	125	25	3,125	5600
2nd ,, 1st Lieut.	41	25	1,025	4575
3rd ,, 2nd ,,	25	25	625	3950
4th ,, 3rd ,,	24	25	600	3350
5th ,, 4th ,,	22	25	550	2800
6th ,, 5th ,,	19	25	475	2325
7th ,, 6th ,,	15	25	375	1950
8th ,, 7th ,,	10	25	250	1700
9th ,, 8th ,,	4	25	100	1600
1st Ensign 9th ,,	40	25	1,000	600
2nd ,, 1st Ensign	10	25	250	350
3rd ,, 2nd ,,	8	25	200	150
4th ,, 3rd ,,	5	25	125	55
5th ,, 4th ,,	1	25	25	—
Total.	1000	25	25,000	

N. B.—The relatixe value of each Officer's position is found by adding together the shares of all Juniors.

2nd. To obtain Funds for the Purchase of 4 Lieut. Colonels annually at Rs. 25,000 each, we have to multiply the above Regimental rate for one step by 4, which will give the sums to be contributed annually by each of 30 Officers in the respective positions as above; and these being divided by 30 (the number of Officers in each position take each European Regiment as two), and then by 12 (the number of months in the year) or at once by 360 will give the graduated monthly Payments required from each; and by taking the aggregate of these for each rank and dividing by its number of contributors, will be found an average rate of monthly subscription. Thus we shall have a *graduated*, or an *average* scale, as may be considered most advisable by the Majority of Subscribers. It must, however, be admitted that an average scale is by far the least complicated, and the most susceptible of adjustment, should mistakes unfortunately occur. In the following calculation illustrative of this paragraph, all fractional parts are excluded by increasing them to ¼, ½, ¾ or 1 Rupee according to numbers, this will be productive of a few Rupees toward the management of the Fund.

Regimental rate 1 steps at 25,000 Rupees.	Multiply by 4.	Annual contributions by each of 30 Officers.	Divided by (30 x 12) .. 360.	Graduated monthly subscription of each Officer for 4 steps per annum.	Average monthly subscriptions.	Rank.
10,000 x	4 ..	10,000..	360 ..	111¼	111¼	Majors.
3,125 x	4 ..	12,500..	360 ..	35		1st Cap
1,400 x	4 ..	5,600	360 ..	15¾		2nd ,,
1,075 x	4 ..	4,300..	360 ..	12	22¾	3rd ,,
675 x	4 ..	2,700..	360 ..	7½		4th ,,
3,125 x	4 ..	12,500..	360 ..	35		5th ,,
1,025 x	4 ..	4,100..	360 ..	11½		1st Lt.
625 x	4 ..	2,500..	360 ..	7		2nd ,,
600 x	4 ..	2,400..	360 ..	7		3rd ,,
550 x	4 ..	2,200..	360 ..	6¼		4th ,,
475 x	4 ..	1,900..	360 ..	5¼	6½	5th ,,
375 x	4 ..	1,500..	390 ..	4¼		6th ,,
250 x	4 ..	1,000..	360 ..	3		7th ,,
100 x	4 ..	400..	360 ..	1¼		8th ,,
1,000 x	4 ..	4,000	360 ..	11¼		9th ,,
250 x	4 ..	1,000..	360 ..	3		1st En.
200 x	4 ..	800	360 ..	2¼		2nd ,,
125 x	4 ..	500..	360 ..	1½	1¾	3rd ,,
25 x	4 ..	100..	360 ..	¼		4th ,,
25,002 x	4 ..	1,00,000	360 ..	280¾		

multiply by 360

1,01,070

sum required for steps 1,00,000

suplus on do. do. 1,070

3rd. Should the graduated scale be preferred by majors the following is proposed, wherein the junior major who has just received his promotion, is male to pay the same as the senior major, and that the Subscriptions of the other majors decrease according to their proximity to the centre, as follows:—

1st	Major	167½	16th	Major	55½
2nd	.....	159	17th	....	63
3rd	.....	151½	18th	....	71½
4th	.....	143	19th	....	79
5th	.....	135½	20th	.....	87½
6th	.....	127	21st	....	95
7th	....	119½	22nd	.....	103½
8th	....	111	23rd	.....	111
9th	.....	103½	24th	.....	119½
10th	.....	95	25th	....	127
11th	....	87½	26th	.....	135½
12th	.....	79	37th	.....	113
13th	.....	71½	28th	....	151½
14th	....	63	29th	.....	159
15th	....	55½	30th	....	167½

4th. THE forgoing completes the arrangement for the annual purchase of 4 Lieutenant Colonels, at Rs. 25.000 each, without other aid or assistance from them than their ready acceptance of our liberal offers as a further inducement to which, it is proposed as in a former plan that each Lieut. Colonel shall contribute a donation according to his standing, toward each step from which he derives advancement; a mersure so reasonable, that, it is presumed all of this rank will cheerfully comply with it.

5th. THUS the amount of Rs. 25,000 would be increased, according to the standing of the Retiring officer, by contributions from all Lieut Colonels junior to him.—the 30th on the list paying Rs. 237 to be increased (in arithmetical progression by 20) every higher step, as in the following table:—

1	2	3
	Aggregate amount received by Lt. Cols. on each retirement according to the standing of the Retirig Officer.	Amount to boreceived by each Retiring Officer inclasive of Lt. Colonels Subscriptions and Rupees 25,000.
Donation to be paid by each Lieut. Colonel who benefits by a Retirement.	Rs.	Rs.
1st Lieut. Col.	15,000	40,000
2nd ,, ,,	*800 14,200	39,200
3rd ,, ,,	*780 13.420	38.120
4th ,, ,,	*758 12,662	37,662
5th ,, ,,	737 11,925	36,925
6th ,, ,,	717 11,208	36,208
7th ,, ,,	697 10,511	35,511
8th ,, ,,	677 9,834	34,834
9th ,, ,,	657 9,177	34,177
10th ,, ,,	637 8,540	33,540
11th ,, ,,	617 7,923	32,923
12th ,, ,,	597 7,326	32,326
13th ,, ,,	577 6,749	31,749
14th ,, ,,	557 6,192	31,192
15th ,, ,,	537 5,655	30,655
16th ,, ,,	517 5,138	30,138
17th ,, ,,	497 4,641	29,641
18th ,, ,,	477 4,164	29,161
19th ,, ,,	457 3,707	28,707
20th ,, ,,	437 3,270	28,270
21st ,, ,,	417 2,853	27,853
22d ,, ,,	397 2.456	27,456
23d ,, ,,	377 2,079	27,079
24th ,, ,,	357 1,722	26,722
25th ,, ,,	337 1,385	26,385
26th ,, ,,	317 1,068	26,068
27th ,, ,,	297 771	25,771
28th ,, ,,	277 494	25,191
29th ,, ,,	257 237	25,237
30th ,, ,,	237 —	25.000

* Note.—A few Rupees have been added to these three numbers in order to make up an unbroken sum of 15000 Rupees.

6th. IT will be observed by the above table, that each Lieut. Colonel retiring, would receive back the full amount of donations he had made in that Rank, together with the difference arising from *death casualties*, which place him so much higher in the list than the situation he will have paid up to.—For instance,—the 30th Lieut. Colonel, will, at the end of 12 months have paid towards 4 steps the amount in column 2 opposite to the 26th Lieut. Colonels; viz; 1068.—Calculating however on 3 *death casualties*, amongst the Colonels and Lieut Colonls Senior to him, he will stand 23rd; and on retirement would receive 2079 Rs. which, added to Rs. 25,000, gives Rs. 27079.

7th. It will readily be seen how far Army promotion is affected by the purchasing out of Majors, Regimentally; but the effect being partial, and confined to those Corps whose Majors are junior in the Line to the one retiring; the measure must nessarily be kept distinct from that which affords a general benefit.—Fundless as we now are, it is seldom that a Major can be induced to retire, except at the time when his value as a Regimental step is at the highest; i. e. immediately on his promotion to that rank? for every subsequent step he advances in the line, reduces his value Regimentally, and it sometimes happens that a Major, from certain causes, such as Furlough, or what is of rare occurrence, rapid promotion, may not then have served the period requisite to entitle him to retire, on the full pay of his rank; and when, perhaps, in one or two years afterwards, he has completed his 22 years service, his value as a Regimental step has become so much reduced, that even if offered, it would not induce his retirement. It will not escape observation, however, that his step would be of equal advantage to that portion of the Army whose Major's are Junior to him, as would that of any Lieut. Col.—Let them contribute towards this step, one eighth of their annual subscription to the general Fund, and the residue will be the Major's value as a Regimental step, to be made good by his own Regiment.—Suppose for instance, that the retiring officer stands 26th in the list of Majors.—his Regiment would have to contribute 26—30th of Rupees, 25,000, or of any other sum agreed upon; and the 4 Junior Regiments each 1—30th in the proportions before laid down.—Thus:—

	Shares to be paid by each Officer of the Regt. to which the retiring Major belong.			Shares to be paid by each Officer of the 29th Junior Regt's.			Remarks.
	Rs.	A.	P.	Rs	A.	P.	
1st Major.	6,428	9	2	178	9	2	
1st Capt..	2,008	14	10	55	12	10	
2nd ,,	900	0	0	25	0	0	
3rd ,,	691	1	2	19	3	2	
4th ,,	433	14	10	12	0	10	
5th ,,	2,008	14	10	55	12	10	
1st Lieut.	658	14	10	18	4	10	
2nd ,,	401	12	7	11	2	7	
3rd ,,	385	14	5	10	11	5	
4th ,,	353	9	2	9	13	2	
5th ,,	305	5	9	8	7	9	
6th ,,	241	1	2	6	11	2	
7th ,,	160	11	5	4	7	5	
8th ,,	64	4	7	1	12	7	
9th ,,	642	13	9	17	13	8	
1st Ensign	160	11	5	4	7	5	
2nd ,,	128	9	2	3	9	2	
3rd ,,	80	5	9	2	3	9	
4th ,,	16	1	2	—	7	2	

If any larger sum were to be given to the Major, his own Regiment would have to pay all of the difference between Rs. 25,000 and the sum given, in addition to its share in this Table.

8th IN the foregoing calculations, no allowance beyond the surplus exhibited in para. 2 has been made fore the expence of management, but a very triffing addition to the rates of subscription, would be sufficient for the purpose, as well as to provide against the possible deficiency that might be occasioned by Non-Subscribers. For instance.—let the proposed *average* monthly subscriptions given in para 2 be increased as follows:

	Increased subscriptions.		No. of subscribers.		Rs.
Major..	115	X	30	—	3,450
Captain..	24½	X	150	—	3,675
Lieutenant. ..	7	X	270	—	2,085
Ensigns. . ..	2½	X	120	—	430
					Rs.
			9,640 X 12—		1,15,680

WE should thus have a surplus of Rs 15,680 per annum, with the exception of its deficiency by non-subscribers; but the residue, it is to be hoped, would be more than ample for every contingency of a *Permanent* nature and as Non-Subscribers decrease in number, the subscriptions may proportionately be reduced.

9th Officers absent in Europe, should be permitted to discontinue thair subscriptions pro tempore, should they desire it, on condition of their paying up arrears on return to India, at the same monthly rates they would have contributed had they been in receipt of India allowance, this will of course occasion a deficiency of a *temporary* nature to nearly the following extent.

	No of Absentees.		Monthly subscriptions.		Months.		Annual deficiency.
Major. ..	5	X	115	—	575 X 12	—	6,900
Captain.	33	X	24½	—	808 X 12	—	9,696
Lieutenant	56	X	7¾	—	456 X 12	—	5,474
Ensigns. ..	8	X	2¼	—	22 X 12	—	262
							22,332

10th. To meet this *temporary* deficienby it is suggested. that each rank make good so much as is occasioned by the absence of its own subscribers by a proportionate subscription, to be lent as it were for the time, and to be repaid by the Fund as arrears are made good by officers on returd to India, the average number of Officers in India, and the additional reters to be temporary contrubuted by them would be as follows.

	No. of Officers in India.		Additional subscriptions.		
Majors. ..	25	X	23	—575	X 12-1861
Captains. ..	117	X	618		
Lieutenant. ..	211	X	2½	—456	X 12—Rs.
Ensigns ..	112	X	½	— 22	22,332

81th. Lieut. Colonels retiring during the first three yeare of the Fund's operation, who may not have contributed sufficient towards the Donations in para 5th to entitle them to recive the amount opposite their position in the Table (Column 2) should only receive such portion of those sums, as they themselves may have paid in that grade, the remainder will serve to from a Fund for the temporary supply of all Absentees, s subscriptions and when sufficient Funds are available for this purpose the additional subscriptions in para 12 will no longer be required, they may probably be dispensed with after a few months.

BOMBAY, 12th March 1841.

CALCUTTA.

HURKARU, MARCH 12.

The Shipping Repo ts of this morning announced the arrival of the *Howard*, Spalding, from Boston 20th Oct.; the *Argyra*, Reid, from Liverpool 4th Sept., Cape of Good Hope 18th Dec, and Mauritius 18th Jan.; and the *Hoptins*, Stephens, from Bombay 23d Jan., and Madras 22d Feb.

The Semaphore also reported the *Helena*, (particulars not received.)

The *Bombay Gazette* of the 1st instant states, that Major Rawlinson has intercepted letters at Kandahar from Shah Soojah "to the Chiefs of the Murree Tribe, and others on the Hills, requesting them to detain our troops below the pass, as long as possible." This seems confirmatory of what we published on the 27th ultimo, regarding the connexion of this "friendly power," with the recent outbreaks in the Ghiljie country and Zemiudauwer. We have little to add to our previous remarks on this very revolting subject. "The substitution of a friendly for a hostile power" in Affghanistan, seems to have been rather a failure. We are further off now than ever, it appears, from such a desired consummation. It is said, that a Persian Army is marching on Herat, and that Kamran (or rather Yar Mahomed) has sent "a friendly deputation to meet it"*—so that we are just in a little worse position, with regard to our Nor-western relations than we were at the beginning of 1838. An open enemy is easier to deal with than a covert one; and we shall find it somewhat more difficult to get rid of Shah Soojah at this present time, than we found it to place him on the throne. In politics, it is very easy to do the "right about turn," but then it is necessary to take time about it. We dare say, that when the cause of Shah Soojah was first publicly espoused in 1838 it was thought that Lord W. Bentinck's letter of the ex-King, stating that the British Government "religiously abstained from intermeddling with the affairs of its neighbours," was well nigh forgotten. After a few years, it would be easy to depose the Suddozye family; but we do not quite know what is to be done at present.

A motion was made yesterday, in the Supreme Court, for a rule to shew cause why an attachment for a contempt of Court should not issue against Captain Samuel Congleton and Captain J. M. H. Johnston, for having removed the person of the Malay Prince, out of the jurisdiction of the Court, after an award of a writ of *Habeas Corpus*, and after knowledge on their part that such a process had is sued. Our contemporary, the *Englishman*, the other day handled this subject in an able manner, and supported the only sound principles upon which the writ of *Habeas Corpus* can be really effective. The suggestion of the *Englishman*, that a party who is charged with detaining another illegally in custody, should be bound to answer for his prisoner, from the moment that he is informed of the intention to move the Court, is, in our opinion, a sound and correct principle. But the principle which Mr. Thackeray, asserted in support of his motion, is, we think, incontrovertible—that is to say, that a writ of *Habeas Corpus* does not virtually consist of a piece of parchment, with a seal attached to it, but that the moment the award of the writ has passed, the party in whose favor it is awarded, is in the protection of the Court. If this principle be not admitted, we must fear that the writ of *Habeas Corpus* is merely an illusion—in those cases in which its efficacy is most called for. The present case is one in which we fear, the Government may be brought into collision with the Court We would deprecate such a result. The *Friend of India* appears to deprecate such a result too, but we think on not altogether sound principles. The *Friend of India* says. "while we bow with reverence to the Majesty of British jurisprudence, as represented in the Supreme Court, we rejoice that the country has been spared a renewal of those scenes which disgraced Bombay, and exposed British authority in the East, to the contempt of the native community." Now, we beg leave to dissent diametrically from our Serampore contemporary. Our contemporary would rather sacrifice an innocent individual, than that the Government and the Supreme Court should come into collision. *Ruat cælum*, is his fear, and in order to prevent such a catasteophe, he says, "do injustice, nicely and quietly, and after a runaway fashion, and you will avoid collision." We cannot agree with our contemporary. The spectacle of a British Government, running away from justice, can never be reconciled to any principles of sound policy. And it would seem that collision is likely to be the consequence.

HURKARU, MARCH 13.

Our readers will see, in General Orders, the appointment of Major Birch to the Judge-Advocate ship General; and learn from an extract, taken from the *Courier*, that Capt. J. D. Douglas, (Assistant Adjutant General with the Troops in Affghanistan) not Capt. McGeorge, as before stated by him, is to be the Deputy Secretary. The Affghanistan Staff are getting the best of it—we believe, that Captain Bygrave, as we before stated, is to have the Presidency Paymastership.

From Lahore we learn. that the system adopted by Shere Singh, for the tranquilizaton of his people, is a very summary one indeed. He has beheaded several of those sirdars who sided with Chund Koonwur, in her recent struggle to retain the supremacy, and General Court has escaped with his life only by again *flying* to preserve it. He was on the 28th ultimo once more a fugitive, at the Kussor ka puttan, a ghat beside the Sutlej, immediately opposite to the city of Feeroz-pore.

The three Sindha wallah sirdas, the brothers Lena Singh, Jumueeut Singh and Jeet Singh, had likewise fled for their lives, secret tidings having reached them that it was the purpose of Shere Sing to cause them to be blown from a gun as soon as he should succeed in catching them off their guard—in other words whenever he should find them unsupported by a sufficiently strong body of their immediate followers to render the attempt to seize them one of danger and of difficulty.

Jemmadar Kooshial Singh, whose restoration to favour we lately notified, has received orders to levy five additional Regiments, for the protection of the stronghold of Shykhopoor, twenty kos beyond Lahore,

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* Vide extract from the *Bombay Gazette*. Lest we should be again accused of plagiarism, we must state, that something on this subject has appeare in the *Englishman*.

where jewels and treasure are lying to the value of, it is said, a crore and a half of rupees, long since secreted there by Runjeet Singh,—and which were subsequently presented by him to Ranee Nukaeen (the mother of the late Kurruck Singh) on whose recent demise it "reverted to the crown" in the person of the present Ruler if indeed Ruler he may be termed whose sway is so very problematical.

The spirit of revolt is said to be strong within the troops, insomuch that it is supposed they may be "moved" by that spirit, at any moment, to overthow the sovereignity of the present sitter on the throne. In short they seem all to be playing at the school boy's game of "I'm the King of the Castle and you're a dirty rascal."

The sole remaining item of intelligence which we have succeeded in gleaning from the favour we have just received from that quarter, is the not, perhaps, very interesting one—(seeing that the country is not as yet ours)—that the Punjaub, where it seems rain is a perfect god send, had just been favored with six days' incessant fall of that commodity.

From Ferozepoor, letters of the 21st instant, corroborate the truth of our reports from Lahore, the fountain head itself, as to the still unsettled state of the Punjaub; and it is added that mahajuns and others were constantly flocking in, to escape from the lawless tribes across the water.

The Kafilah with Shah Shoojah's zunana,—under Captain Broadfoot, had been detained en route to Feerozpoor from Loohiana by rain.

The daks from the provinces had also been delayed, and two were overdue on the 2d, the date on which the latest of our communications was closed.

It is stated that from the evening of the 25th up to the date just specified, torrents of rain, commencing with a magnificent thunder storm, had continued to fall without intermission, and the a pearance of the "welkin" promised, it is added, showers at no distant day. The beneficial effect on the crops, expected to result from this sudden change from heat and dust and drought, is said to be incalculable; and, when it is considered that Feerozpoore—though no rain whatever save a passing shower about Christmas had fallen for the last two years—was a tractas highly productive up to the end of 1838, that grain used to sell there at two and a half mauuds per rupee, we may conceive that change from drought to abaundant moisture would at the present season be more than commonly beneficial in a soil so fertile. Accordingly we are not surprised to learn that the price of grain of every description had already fallen, almost as suddenly, and in its degree quite as considerably, as the rain itself.

It is stated by one of our kind and gossipping friends at that station, that a rassaldar of the 4th local horse had just died from the effects, as was suspected, even prior to his demise,—of poison—a suspicion which was corroborated by the discovery, on post mortem examination of the body, of large quantities of poisonous matter.

Suspicion had alighted on a fair but frail one—a sort of Madame Laffarge, except that she is describe as neither maid, wife, nor widow. The affair was however so recent,—having only occurred on the night of the 27th, that inquiry into the particulars was as yet but in its infancy.

CALCUTTA COURIER, MARCH, 13.

Our morning contemporaries have condemned us, for saying that "*Government cares very little for the strictures of the Press*:" but we confess, as yet we have found nothing in their arguments to alter our first view The truth is, in India we have, so to speak, *No public*—no people, capable of influencing Government, by the apprehension of any thing they could perform, beyond a petition to the Home Authorities—where the chances would not be ninetynine in a hundred, against the success of their endeavours. Few acts of this Government have been more generally unpopular than that which has become celebrated under the denomination of the *Black Act*. Whatever it was in the power of the Indian public to do, was done. Here, that public felt its helplessness, and, in due from, took the only step left to it, by appealing. Let us ask what has been the result, or in what way the Government has been influenced by the exertions made in this particular case? There are many reasons existing, why the Press cannot have the same power here, which it enjoys almost *adlibitum* in England. However obnoxious a measure may be deemed *here* is little prospect of the opposition which is sure to display itself in many ways, legal, and *illegal*, at home. The English papers call directly on the understanding of the people, and *invite* them to shew the danger of tampering with their just rights. The English people again, have their proper representatives—men who feel their responsibility, and retain a consciousness of their liabilities. Parliament is the arena of open discussion—fenced indeed by its previleges, but amenable, at the bar of public opinion, which has the opportunity of displaying itself in something more directly monitory, than petitions made at a distance, and consigned to a fortuitous sympathy. Let us, however, not be misunderstood. The uses of our Press we mean not to deny. To a certain extent, and speaking generally, it serves no doubt as *a check*. Yet we must still maintain, that it never can have the power of its English contemporary, *while the Government itself is not responsible to the public* (as at home) *for all that it choses to enact*. We do not, never did, suppose that a good suggestion is not more strongly enforced by it, on the attention of those who locally administrate for India, and therefore could not intend to *decry* the utility of the Press: but we boldly assert, that the power to arraign is insignificant, whenever our rulers adopt plans that are more in accordance with their own view, than that of the public whom they govern. The position of the local authorities has in it nothing analogous to the position of the home administration. They have interests to consult, apart from the interests of the people. They have to carry out the injunctions of *their* immediate masters—the Company—happy if the extremes can be made to meet satisfactorily, but compelled to consider the *orders* of their superiors as paramount, in all deliberations. We argue not upon supposed possibility of enactments fundamentally at variance with the British constitution. Such are not likely to occur; and should they, the correction would go along with the deed—but we do mean to say that, in all cases where the question lies between the popularity or unpopularity of an act, and the deference due to instructions from Leadenhall, whenever these are peremptory, the wishes of the public would be consigned to oblivion (even though the Press thundered forth its anathemas fifty fold), while the recourse to a petition would be all that was left for a popular struggle against arbitary power. There are other matters worthy of reflection. Popular tumults, in themselves indefensible, are still not without *their* influence upon the conduct of the Home authorities—the *mob* inspires a very wholesome restraint. *Here*, there is no such apprehension. All that we can do is to *appeal*; but for the interim, we must *submit*. Before Government can be compelled to pay attention to the expression of public opinion, conveyed, as its organ, by the Press, the whole constitution of our eastern rule must alter. We believe it to be a truth—however unpalatable—that Government does *not* care for the strictures of the Press—but that, notwithstanding, it serves *to far* as a check, as that it becomes the medium of tendering many salutary suggestions, and of producing many beneficial determinations in affairs connected with local prosperity—although at the same time it has little influence in swaying political decisions, or subverting resolutions that have once passed the Council Board.

One of our contemporaries has insinuated, in a manner more discreditable to him than ourselves, that our remark was superinduced by "obsequiousness to Lord Auckland's administration"—a piece of impertinence which we reject with the contempt it deserves. He who entertains the dirty suspicion, is capable, when occasion offers itself, of pursuing the very course—for the mind which suspects baseness in others without examining into the foundation of its surmises, throws out but a ray of its own color, and developes, in its capability of entertaining, the probability of *acting* up to an idea, where circumstances are favorable to the purpose. What right has our contemporary to assume we would cringe to *any* administration? *Au resie*, our brethren may plume themselves in an imagined power. We only look at it, and pronounce on it, such as we believe it *actually* to be. The time must come when amelioration will be perceptible; but it has not *yet* come.

PINANG.

PINANG GAZETTE, JANUARY. 30

SHIPPING.—The Barque *Lord Western*, as we anticipated in our last, entered the harbour from Singapore on Saturday, for the purpose of loading about 3000 piculs of Province Wellsley Sugars of various qualities, which we understand have been purchased at considerably advanced rates to those obtained six months ago. This vessel will return thither on Tuesday next to fill up the remainder of her cargo for Liverpool. The other arrivals during the week are all likewise from Singapore and Malacca, and bring no news.—The general expectation of the immediate appearance of a vessel from Calcutta has has not yet yet been realized, but as the first arrival from thence last year with opium from the January sales was about this period of the present month, we may reasonably calculate that the next signed to the westword will announce the event so much desired.—The Steamer *Diana* sailed on Tuesday for Calcutta via Mergui, and may be looked for here again in all March next.

PROVINCE WELLESLEY.—We understand that the Honorable the Governor intends shortly to proceed to Province Wellesley and to make a general tour of the country, a circumstance which will no doubt give great satisfaction to the inhabitants, since the presence of the Chief authority of the United Settlement will procure for them many benefits and improvements which have long been desired, and which appear hitherto to have been withheld from them. We allude to the want of proper roads, and to the efficient repairs of those that are already in existence which in the rainy season are so perfectly impassable, that the ryots are compelled at great inconvenience and labour to transport the produce of their lands to the beach for shipment to George Town. We must not also omit to notice the evils which have obtained in the Province, of a monopoly of certain rivers, ferres and portions of the beach for passage boats; nor of the exactions which the Panghulus and other subordinate officers of the police are reported to be in the habit of making for their own personal benefit from squatters on lands belonging to the E. I. Company, who have no written titles to their several allotments, but are countenanced in the occupation of them by the mere *verbal permission* of these functionaries, whose object of course is keep them away from the Collectors Office, and thus to deprive the government of their lawful rents. Rice is now cultivated in Province Wellesley to an extent not only to supply its own demands, but to furnish in a material degree the wants of this side of the water. Several extensive Spice and fruit garden formed on European capital, are now flourishing there and promising shortly to yield abundantly; and in addition to the large Sugar plantations at Battu Kawan, which afford considerable exports to Singapore for ultimate shipment to England, we learn that an enterprising merchant of this Island has applied for and obtained a lease for 1000 orlongs of forest ground in Province Wellesley for the manufacture of Sugar, and that a great part of this land has dready been cleared and is in a forward state for planting.

It is said that it is the intention of government to levy an assessment of 5 percent per annum on the estimated reputal of all the lands at Province Wellesley, but when it is to take place we have not heard. We however think that unless proper roads are made and maintained throughout the country, any impost of this description will be very unpopular.

MADRAS.

ATHENÆUM, MARCH 16.

The tender of the barque *Resolution* for conveying a portion of the 39th Regt. N. I. to Singapore, has been accepted; in consequence of which, a detachment of that corps, numbering *two-hundred* and *thirty-eight* (including followers) and embark with as little delay as possible.

To invalids of a certain class, it is sometimes exceedingly perplexing what plan to adopt, or what course to steer with a view to attain that, which to them, is an object of the highest importance *viz.* a state of renovated health. Whether a resort to the *Neilgherries* or any other acknowledged healthy spot within the limits of the presidency, or a voyage by sea to the *Cape of Good Hope*, *Australia*, or elsewhere, are questions they debate with themselves, and to decide whether this or that shall have the preference, is often no easy task. Even after a preference, has been given, the financial page must be consulted, when it is probably found, that the one fixed upon, though the most desirable, is unattainable, from the expense that would be incurred. The *Neilgherries* present no common attractions. The scenery and climate are not excelled by any part of Southern India, and the benefit derived by persons, debilitated either from long residence in the country or from diseases induced by particular localities, has we believe been very considerable. There are however some cases, in which invalids demand a still more decided change: a voyage to sea is recommended, and the condition of the parties is such as to render this step imperative. When brought to this point, one of several places must be fixed upon, *Australia*, the *Cape of Good Hope*, or *England*. Few who look to the ultimate object of coming to India, would choose the latter of the three, for reasons it is not necessary to explain. There is consequently the alternative left between the *Cape* and *Australia*. Both have their advocates, but the advocacy proceeds, too frequently, upon the partialities of individuals, who, in speaking of one place, have no knowledge of the other. Many may have been induced to prefer the *Cape*, from it being in the direction of home, so that if the object of which they were in pursuit be not gained by a sojourn there, and a further change be deemed necessary, they would be so far on the way, and the drain upon their resources be proportionably less.

Australia on the contrary, is a further remove from home; but this is compensated, by being able to select from among the numerous settlements, those, which united testimony has declared the most eligible, and the best suited to such as are in the pursuit of health.

We have been led into these remarks by the statement of a writer who left *Calcutta* for *Hobart Town*, and in whose description there is so much to please, and so much that is calculated to guide and fix the mind of the wavering invalid on these shores as to the direction in which he should wend his way, that we have given it a place in our columns. The accounts from our *Australian settlements* have varied much; a circumstance that has prevented hundreds from determining to pay them a visit. It will be admitted by all, that what may be denominated an infant colony, is not the place an invalid should select. The want of accommodation, the difficulty of procuring the comforts such persons absolutely require, and the excessive high prices of all consumable articles, shew the wisdom, for some time to come, of not even thinking of such places.

Hobart Town is clearly not of this description. The climate is declared to be *heavenly*, and though this must be regarded as hyperbole, we may legitimately infer from it that it is highly delightful, conductive to health, and scarcely to be surpassed. There is good society, and good accommodation; and on the whole we should say, it is a place more likely to tempt the invalid than any other to which our attention has been called. It is every day rising in importance, has already *twenty-five thousand inhabitants*, is characterized by the term "orderly and well conducted," and is remarkably "free from public nuisances and annoyances." As a token for good to the population, "there are six places of worship which are all well filled, and two others building," and looking at it in a commercial point of view, it may be said to be prosperous. Of Joint Stock Banks, there are six: this is proof that business is doing, so that with plenty to do, and the means of doing it, a cause of complaint can scarcely be found.

KAMPTEE.

March 6.—On Wednesday evening the 3d instant, the Officers of the 49th Regiment N. I. gave a farewell dinner to the Officers of the 25th Regiment N. I. previous to the march of the latter corps to Secunderabad. The party did not break up till about 11 o'clock. The 25th Regiment marched this morning on route to its destination. Owing to the departure of this Corps, the duty falls very hard on the 49th Regiment N. I. and will do so until the arrival of the 43d Regiment N. I., which I believe will be here about the 20th instant. The troops continue healthy.

On the evenings of the 4th and 5th instant, we had a severe thunder storm. Hail stones, nearly the size of a fowl's egg were plentiful. The wind was very strong, and broke down large branches of many trees in the Cantonment. The tiles fell off from many houses, and I hear that two women died by the hail stones striking them.

ITCHAPORE.

March 6.—The 50th Regt, commenced its march from Vizianagrum on the 22nd ultimo, and arrived here this morning, all well. Not a single casualty has occurred in the corps during the march. The men are healthy and in high spirits at being so near their destination. To-morrow we halt here, and march into Berhampore on the day following. The encamping ground at this place is very good; in fact, one of the best we have had since leaving Vizianagram, but nothing is to be seen around us but a vast tract of parched up land. To the east of the village, there is a hill, on the summit of which resides a Fakeer, who is much venerated by the Mahomedan population. He never, it appears, quits his solitary abode, but supplies are sent to him by his infatuated devotees below.

The heat during the day continues to increase, but the nights and mornings are still cool and pleasant.

TRICHINOPOLY.

March 10.—The weather here is very warm, but we are told, nothing to what it will be. The Major General is out on a tour of inspection: prior to his departure, the 8th Cavalry gave him a dinner on a splendid scale; the Band as usual keeping all aline. It is to be hoped, that when he comes back, which is expected to take place in about a month, the champaigne may again sparkle on the board, and the Garrison be a little more lively. At present, all is dull.

BANGALORE.

March 13.—One of our worthy Chaplains, the Rev. Mr. Lutyens, has been seriously indisposed and unable to perform any duty since the 28th ultimo. He is however somewhat recovered, altho still suffering considerably. The Rev. Mr, Briggs took part in the sacred duties last Sunday; and these are not light, as we have four regular services performed every Sabbath, viz. at 6, 9, and 11 o'clock A. M. and at 6 P. M. On Tuesday morning the 9th we had a Line parede of all the troops at the station, and a telerably fine appearance they cut; Artillery, Hussars, Light Cavalry, 2d European Light Infantry, and the two Light Infantry Native Corps, for the 23d N. I. W. L. I. were on parade for the first time, mustering about 1000 strong, and looked remarkably well, considering that the Corps had just come off a march. The usual ceremony of marching past in slow and quick time was gone through after which the mounted Corps were manœuvred by the Senior Cavalry Officer present. The 15th Hussars are wonderfully improved in their equestrian movements, and are in all respects in a high state of efficiency.

Major General Alian C. B. is at present absent on a tour of inspection within the Division, and the command here is exercised by Colonel Lovell K. H. of the 15th Hussars Lieutenant Colonel Sir Walter Scott Bart. having assumed command of that Corps.

On Thursday evening the 11th instant, the Gentlemen Amateurs entertained the community here with the representation of the much admired Comedy of "*The Rivals*" followed by the "*Illustrious Stranger*." The whole weat off well, altho' the attendance was rather limited. Where every individual exerts himself to please, it would be invidious to particularize: suffice it so say, the characters were admirably cast and well sustained. The arrival of one of our former favourites Lieut. H—t from the French Rocks, seems to have inspired our Thespian band with fresh vigour.

On Friday morning the 12th instant, the Infantry Brigade, and a splendid brigade it is, consisting of the 2d Madras European Light Infantry, the 23d Regiment N. I., Wallajahbad. Light Infantry, and 34th Regiment N. I. or Chicacole Light Infantry, were out under Lieut. Colonel Dyce for Brigade exercise, and went through an excellent morning's work to the high gratification of numerous spectators.

Major General Sir Hugh Gough's family have arrived here from Madras, but we want the gallant old Chief himself to inspire us with a little gaiety, as all is sadly dull. Altogether a sadness or depression seems to have come over the place. Time was, when it could boast its weekly whist and cricket club meetings, monthly balls and other amusements, but nothing of the kind now exists, and the only scene of recreation is an hour or two spent twice a week on "*band evenings*" where the company is frequently as dull and monotonous as the airs played by the musicians.

HERALD, MARCH 17.

The *Spectator* of Saturday intimates, with regard to the late *protempore* appointment of Major General Allan, to the Chief Command of the Army of this Presidency, that though the Supreme Government has notified its disappreval of the step taken by the Madras Authorities, it has "stopped short of annulling the act," on the ground that "before such interference could take place, the occasion giving rise to it had ceased." The same journal further intimates that the affair has "been referred to the Home Authorities, for their decision, in case of a like event occurring again." Presuming that our contemporary's information is authentic, we have to express our satisfaction at the course adopted by the great folks in Bengal. Had they cancelled General Allan's appointment, (as was sometime back confidently reported,) very serious inconvenience could not fail to have been the result, for every order issued by the galiant officer to the Army over which he was erroneously placed, would have been by that act rescinded. By allowing the appointment to remain undisturbed, this inconvenience, so far at least as the Bengal big wigs are concerned, is happily avoided, whilst the strong expression of dissatisfaction in which they are stated to have indulged, coupled as it has been, or will be, with a reference to Leadenhall Street, is a pretty sufficient guarantee that a second error of the kind will not be committed.

SPECTATOR, MARCH 17.

An *on-dit* has reached us that order have been received from the Supreme Government, to the effect that no Artillery Officer is in future to be employed on any Staff duty unconnected with the Ordnance Department. This is an order which cannot fail to create a considerable sensation.

EUROPE,

PARIS, JAN. 25.

(FROM OUR OWN CORRESPONDENT)

There are many members of the Chamber of Deputies who imagine that the fortification bill will be mutilated by a successful amendment, and that it will then be abandoned by the government and the committee. This is not impossible, but I think it improbable, for minis er have so much made this bill their own by adoption, that their immediate supporters fear the consequences of rejection, and a considerable portion of the Left of the Chamber support the bill as having been originated by M. Thiers The opposition, therefore, is limited to the consistent and conscientious portion of the Conservatives, Carlists, and Republicans, and this is very far from being even a respectable minority. One thing however, is dreaded by the friends of the ministry. M. Thiers and M. de Remusat have declared that if the bill should be thrown out, ministers, in order to be consitent, must resign; and if they could once pin Marshal Soult and M. Guizot to identifying themselve with this view, and there should be among the Conservative, Carlists, and extreme Gauche any thing like a display of strength, it would not be at all surprising if M. Thiers, M. Odillon Barrot, and many other sticklers for the bill in their speaches, were to augment the number of black balls, in the hope of turning out the present Cabinet. This would be a very profligate proceeding, but it would astonish nobody. Hitherto ministers have refused to the themselves up to the bill to such an extent as to make their continuance in office dependent on its success; they will do well to observe the same course, if they would not be dupeb by the Opposition.

Public feeling is becoming less and less favourable to the bill, for and arguments against it in the Chamber have been strong, and those in its favour exceedingly weak. The originators of the bill, aware that very little in the way of argument can be brought forward by them, confine themselve chiefly to declamation and extravagant declacations of patriotism; in which no man is more profuse than M. Thiers, who, on Saturday, almost writhed in his seat at hearing M. de Tracy say that France had made quite sacrifices enough in favour of the god of its idolatry, Napoleon.

Amongst those who have attmepted to offer anything like argument in support of the bill was Gen Paixhans. This gentleman, having been asked if the shells and other projectiles of his invention might not be used by a besieging army against Paris, replied in the affirmative; but added, that the advantage would be greatly on the side of the besieged, as they would manufacture these projectiles as they were wanted, whereas the besiegers would have to drag them with them from the frontiers, which would be exceedingly difficult; and this kind of reasoning seemed to go down with the Chamber. The gallant General forgot that it would be just as easy for the besiegers to set up a manufactory of these projectiles without the range of the guns of the capital, as it would be to make them in Paris; and that the besiegers would have the country open to them for a supply of materials, which would not be the case with the Parisians,; and if the besiegers could not do this the distance from the frontiers to the capital is not so great that they would have any difficulty, with the country in their rear open them, in bringing up a supply from the frontier.

With the scheme for fortifying that capital, we have announcements of new means of warfare from which wonders are promised, The Marquis de Jouffory, who has invented a new kind of baddle fors eamers, of which I gave you a notice some time ago, is said to be in negociation with the Minister of Marine for the application of his principle to ships of war, so as to enable them to have a decided advantage over the British navy. The invention is a clever one, certainly; but hitherto the exprience of its practicabity has been confined to a more model, and there is nothing to shew that it would work upon a large scale. It is not probable, therefore, that it will be adoted by the Minister of Marine until he his had proofs of its practical utility; and were it adopted with success, there is nothing to prevent a similar course by the British government. Another invention, which is said to occupy the attention of the Minister of War and Marine, is that of a ball, which, when it falls, ignites, and gives out a train of fire which water will not extinguish. There is nothing new in this; and if it were new, and really important as a means of destruction, English chemists would not be long in imitating it successfully. We hear also of means of projecting a ball or shell to a distance six time as great as that which has hitherto been attained. This is said to be effected by azote; but if do not, mistake, a chemist proposed the same thing in England some years ago. All these stories, however, serve to amuse the French; and I am really not sorry to hear of the invention of increased means of destruction; for, as they must be common to all nations, so must all nations see the folly of going to war merely for the detruction of human life, and with the certainty that the result would be mutual exhaustion.

Another infamous attempt has been made by the Carlist and Republican press to excite a popular movement against the King and his dynasty. Yesterday the *France*, an ultra Carlist paper, published some extracts from real or pretended letters of Louis Philippe, written in the first years of his reign, in which he is made to state that he is resolved upon rigidly adhering to the treties of 1815, and on giving up Algiers, as had been promised, to England; and that he had not abandoned the idea of putting down the licentiousness of the press, and of erecting forts to bring the turbulent population of Paris to reason. The *National* of this day copies them from the *France*, and states that the originals are in the hands of Mousieur de Larochejaquelin, and are to be published in a few days in *fac simile*. If the letters are genuine they can only have come to light through an atrocious breach of confidence, for they are given as having been addressed to a French Ambassador. There is nothing in them, perhaps, that is not true, but it is the very truth which would at this moment create an excitement against the King which may be dreadful, for he is made to speak of the Liberal party in terms of bitter and contemptuous hostility. If the letters are false, there is in an end of all government if the inventors and propegators of the falsehood be not brought to justice. In one of the letters the King is represented as hating and detesting the cause of Poland. In fact, the sentiments expressed in all the ex racts are in direct hostility to what is now called popular feeling.

M. Gozlan, the author of *Il etait un Roi et une Reine*, has published another long letter in the *Charivari* about the prohibition of his play. As he ends with a falsehood, by stating that the prohibition was demanded by Lord Granville, it is but fair to assume that all his other statements are equally without foundation.

COPYRIGHT LAW IN FRANCE.—GROS AND VILLOT V. GAVARD.—This was a case of complaint, before the Correctional Tribunal, against the defendent, for unduly engrving and selling plates of the "Battle of the Pyramids," one of the best pictures of the late Baron Gros, and now in the Historical Galleries of Versailles. The damages were laid at 2,000*f.* for Mme. la Baronne Gros, and 6,000*f.* for M. Vallot. The circumstances of the case were these, that the picture, which in 1814 had been removed from the Salle du Senat, to one of the upper rooms of the Louvre, was in 1833, in the possession of General Bertrand, who had agreed to purchase it for 3,000*f.*, from some person not named. Baron Gros, who had lost sight of the picture, on learning this, went to General Bertrand, and obtained leave to have the picture engraved, which privilege he conveyed to his pupil, M. Vallot, who spent several years on the task. Shortly after the civil list claimed the picture, and it was given up by Gen. Bertraud, when it was transferred to Versailles. M. Gavard prepared to have it engraved for his magnificent work, "The Galeries Historiques;" and upon this M. Vallot sent him a legal summons not to do so, as interfering with his privilege. M. Gavard merely promised that he would let M. Vallot's plate appear before his own, which should not be sold separate from his work. When that number of M. Gavard's book which contained the plate appeared, Mme. Gros and M. Vallot brought the present action. The Court decided that as no express stipulation had been made by Baron Gros, on first selling the picture, that he should retain the exclusive right of engraving it, and more especially since it had never legally belonged to General Bertrand, but had passed into a collection like that of Versailles, the object of which was to admit the public to the full enjoyment of the various works of art contained in it, therefore the plaintiffs were not entitled to any damages. The defendant, who had made a counter demand for damages, was also declared not entitled to any, and the costs of the suit were thrown on the plaintiffs.

SCHWETZINGEN, Jan. 18.—Last night Reckarau, a place in this district, witnessed a horrible murder, the motive for which is not yet known. Two young men, both aged about 22, Johannes Obermaier and Christopher Ort, left the Swan public-house at Rackarau about a quarter before 11, without having had any difference or dispute. Scarcely had they got into the street when the latter stabbed the former under the neck with a knife, which penetrated to the bone. Obermaier hastened back to the public-house, and exclaimed, "I have been stabbed by Christopher Ort," and instantly expired. The assassin was immediately arrested in his house, where the bloody knife was found. On examining the body, a small wound was found on the left shoulder blade, but not of a dangerous nature. Ort has confessed the fact, but what instigated him to the deed remains a mystery.—*Carlsruhe Zeitung*.

A letter from Maestricht of the 23d January says—"It is nearly 18 months that the Dutch and Belgain Commissioners have been engaged in fixing the boundary line between the rayon of the fortress and the province. It seems that they are agreed on all the principal lines, and differ only on some few reds of ground. The governments of the two countries should put an end to these petty differences, which are too burdensome to both countries."

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tinued in a state of mutiny; and a portion of it ordered to proceed to Mundee and Peshawur, refused to move. The attempt by Deean Singh to dispense with their services, alluded to in our last, does not appear to succeed. The number of hill recruits enlisted by him, has already begun to excite the jealousy of Shere Singh, who has some intention of putting a stop of it. Looking therefore on it, and the general aspect of the Punjaub, we confess we see no symptom of peace or a settled Government, but through the interference of the British. In the mean time, General Ventura has gone to Bombay from Ferozepoor, and his less fortunate brother Officers, Generals Court and Avitabile are importuning the Lahore Durbar to permit them to depart likewise, but to no purpose. They are "Detenus" in every sense of the word, and will of course, take the first opportunity of gaining their liberty by flying to the British Provinces.

There has been an affair between Colonel Shelton's Brigade and a tribe of free booters called the Singhee Khail, in which the former were completely successful, taking one of the strong holds of the latter and dispersing them. Report had given a different account of this and stated, that the Colonel had been repulsed with the loss of two Officers and several men. Two Officers were unfortunatly killed, but under circumstances almost soley accidental. One, Captain Douglas, was killed by a stray shot during a parley, and the other, Lieutenant Pigon, of the Engineers, was blown to pieces by the accidental and unfortunate explosion of some powder which he was fixing to a gate, for the purpose of forcing it open. Such a brief sketch of the present position of affairs at Heerat and the Punjaub, bnt we hope to be able to fill it by our next, with more particulars.

In our last we stated the occurrence of a dispute between the Commandant of a Regiment on its way to the north-ward, and his Quarter master. That Regiment was the 71st N. I., on its way to Shajehanpoor, from Neemutch, and at the time of writing at Agra, and the Officers of whom we spoke as having unncessarily reported the dispute to higher authority was Major Marshall of the same corps. This information is, we are quite aware, unless to most of our Military readers, who could have been at no loss to discover the corps and the Officers, but we give it for what follows.

About noon, on the day of the appearance of the *Urhbar*, a friend from Major Marshall called upon us and stated, that he was instructed by his principal to demand from us a retraction of our remarks upon him (Major M.)—or a hostile meeting. We replied that we could not retract what we had deliberately advanced, and that we were quite willing to give Major Marshall the meeting he sought. Major M's friend then entered upon some discussion with a view towards an amicable arrangement, which, however, ended by our introducing *our* friend to him to arrange between them, the usual preliminaries for a meeting. In doing this, Captain R——— (Major M's friend) again opened a fresh negotiation to adjust the matter without a meeting, but ineffectually,—a time and place were fixed on for the meeting and Captain R——— withdraw. He had not, however, proceeded further than the entrance to our house, when he sent for our friend, and a third time essayed to dispense with a meeting. He asked, "would no concession be made," and, as, during the previous discussion it had been frequently declared by Captain R——— that Major Marshall could not have avoided taking public notice of the dispute in question, if he would, and had he, neglecting his duty, endeavoured to have hushed it up, that he himself, Captain R———, would have it taken it up publicly, as, we say, these declarations had been made, it was considered by our friend that there were grounds for an amicable settlement. We stated that as far as regard the *present affair* we were open to correction, that we had no means of accurately knowing whether the account we gave of it was correct or not, and that on the above declarations of Captain R——— we had no objection, with the full advice and concurrence of our friends, to retract our remarks on this head, and our insinuations, that Major M. had unnecessarily make the affair public. Captain R——— communicated this to his principal, and the follawing statement was laid before us, and, with a few trifling alterations, agreed to by us, with the concurrence of the Officers who acted as our friend.

"In consequence of an Editorial paragraph in the *Agra Ukhbar* of the 13th instant, reflecting on Major Marshall of the 71st, a friend from that agent waited upon me for satisfaction, his friend being fully qualified to inform me of every particular, regarding the grounds upon which I founded an opinion of Major M———'s character, I readily acknowledge that I have been guided in my sentiments towards Major M——— by an incorrect statement, as regards the present affair, therefore can have no hesitation in avowing my regret for having wounded his feelings." H. T.

We know not what opinion our readers may form of the above case, but we are ourselves satisfied of the consistency of our proceedings. We repeatedly offered Major M. the meeting he sought but at the same time we professed to be and are open—as every Indian Editor must be—to corrections of whatever papers in our pages, when we are satisfied such are realy corrections, and this rule we have strictly followed in the present case. We were assured by an Officer of the same corps, that Major Marshall could not avoid making public the dispute that had occurred between his Colonel and another Officer, and that had Major M. not taken notice of it, he Captain R——— would himself. In the face of this it would have been clearly unfair as well as a departure from the rule we follow, to persist in attributing bad feeling and litigiousness as the cause of Major Marshall's reporting the affair to Division Head-Quarters, or marking him as the sole agent in making it public.

We have received a rather detailed account of the business signed "an Old Friend" which we beg to decline. It must now be come matter of judicial investigation and enquiry, and until the result of the enquiry is known, we shall leave the subject where it is. Then however we shall not hesitate to give our opinion of it, or to receive those of our Correspondents.

AGRA.—The Lieut.-Governor has invited a large party to meet the Raja of Bhurtpore—who has been the great Lion of the week,—on Friday.

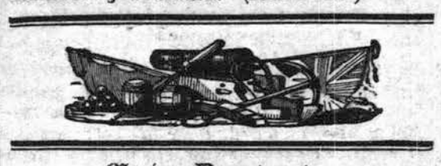
On Monday, the Troops were Brigaded, in compliment to His Highness, who expressed his high admiration of the performauce of British Troops, and particularly of the "serried front" of the gallant 31st Foot.

An Ice Meeting will take place at the Testimonial, on Saturday, which it is desirable should be well attended.

The 71st Regiment under Colonel Dick, continued its route on the 15th inst.

The weather has very untowardly for our gaities set in most unprecedently warm for the season. Yesterday afternoon, the Thermometer stood for a short time at 83°.

MEERUT.—(*From a Native correspondent*)—An affray occurred during the late Mela at the Sooruj Koond, on the 9th inst., the day after the Holi, between some Sepoys and Suwars, about a woman. The Kotwal interfered and took nine of the disturbers of the peace into custody. The Military Officers applied to the Magistrate for their release, but were refused the next day About four or five hundred Sepoys and Suwars entered the city and burnt and plundered the Kotwal's office, beating and wounding, in some cases severely, about forty of the Burkundazes and persons attached to the Kotwalee, as well as some of the passengers. On the 11th the Military Officers again applied to the Magistrate for the liberation of the prisoners which was again denied. At 3 P. M. a great crowd of Sepoys and Suwars assembled round the jail with arms to release their friends; meantime, the Commissioner arrived and made over charge of the prisoners to the General, Commanding the Station. (*March 11th.*)



Marine Department.

NOTIFICATION.

Notice is hereby given, that it is the intention of the Honorable the Governor in Council, to despatch a Steamer, with a Mail for Suez, on Thursday the 1st of April next.

By order of the Hon'ble the Governor in Council,
P. M. MELVILL, Lieut. Col. *Secy. to Govt.*
Bombay Castle, 5th February 1841.

Notice is hereby given, that it is the intention of the Honorable the Governor in Council, to despatch a Steamer, with a Mail for Suez, on Saturday the 1st of May next.

By order of the Hon'ble the Governor in Council,
P. M. MELVILL, Lieut. Col.
Secretary to Government.
Bombay Castle, 12th March 1841.

Shipping Arrivals and Departures.

ARRIVALS.

March 27th Ship Solomon Shaw, J. Lyons, Master, from Calcutta 8th February.

Do. 28th, H. C. Steam Vessel Medusa, H. Dawson, Master, from Bancoot 27th Instant.

Do. H. C. Brig of War Tigris, A. H. Nott, Commanding from Muscat 18th Inst. *Passenger.*—Merza Aga Merchant.

SAILED.

March 27th, The E. I. C. Iron Steamer Medusa, Mr. H. Dawson, Acting Master, to Bancoot.

Shipping in the Harbour.

R. I. C. VESSELS.	E. I. C. STEAMERS.
Receiving Ship Hastings.	Indus.
SCHOONERS	Auckland.
Taptee.	Cleopatra.
Royal Tiger.	Berenice.
BRIG.	Sesostris.
Palinurus.	Hugh Lindsay.
Tigris.	Cutter Margaret.
	Medusa.

Merchant Vessels.

ENGLISH.	
Charles Grant.	Champion.
	Chieftain.
COUNTRY.	
Cauderbux.	Asia.
Pittamber Savoy.	Amoody.
Caroline.	Dawlut Savoy.
Colonel Newall.	Jehangier.
Essavie.	Wild Irish Girl.
Maria.	Malik-ool-Bahr.
Ruby.	Cursetjee Cawasjee.
Fanny.	Shaw Allum.
Hydroose.	John.
Alexander Robertson	Futhel Barry.
Ruparell.	Brigand.
Hamoody.	Victoria.
Caroline (Do.)	Kusrovie.
Sophia.	Dadaloy.
Lady Grant.	Coringa Packet.
Ratler.	Olive Branch.
Corsair.	Wave.
Drongan.	Lancaster.
Roopaulay.	Carnatic.
Yatch Prince Rigent.	Solomon Shaw.
FRENCH.	
LaAdele.	PORTUGUESE.
ARAB.	Brig (War) Cassador Africano.
Harsingar.	Brig Simplicia.
Lodease.	Brig Novo Viagente.
Hamonshaw.	
Shawen Shaw.	
Earl of Balcarras.	
Reliance.	
British Merchant.	
Hope.	

Military Arrivals and Departures.

ARRIVALS.

March 22d.—Mr. A. Keir, from Serohi.

DEPARTURES.

March 27th.—Capt. Grimes, Asst. Adjt. Genl. Nagpore Suby. Force, to Kamptee.
do. 28th. Lieut. Brabazon, Artillery, to Mahabulishwar.

"Nothing extenuate, nor set down aught in Malice."

THE GAZETTE.

Monday, March 29, 1841.

ARRIVED March 27, Ship *Solomon Shaw*, J. Lyons, Master, from Calcutta 8th February; Do. 28, H. C. Steam Vessel *Medusa*, H. Dawson, Commanding from Bancoot 27th Instant; Do. H. C. Brig of War *Tigris*, A. H. Nott, Commanding from Muscat 18th instant—Passenger: Merza Aga, Merchant.

WE this day publish our "*Sporting Magazine*," we have given a lithographic sketch of one of the winners at the late Bombay Races. We regret the state of the Art prevents justice being done to the drawing which was beautifully executed by Mr. Wittenbury a well known and successful Painter of Animals and who is now in Bombay.

We take this opportunity to thank our kind contributors and trust for a continuance of their favors.

WE have laid aside all other matter in order to give as full an account as possible of the interesting proceedings in the Supreme Court on Saturday. We cannot but feel happy that the matter terminated as it did. As the Affidavits put in disclaimed all personal knowledge of the offensive remarks previous to publication the Court being previously pledged to the line of proceeding discharged the rules against the parties. Mr. Cochrane's speech was most ably and impressively delivered while in the Chief Justice's remarks, and particularly the latter part when he seemed to deprecate proceeding to extremities, the good feelings of the man came out and mingled with the firm and consistent bearing of the judicial character. Our limits and the short time we have had to prepare the case, prevent our making any further comments.

THE Court House was crowded to overflowing on Saturday last to listen to the arguments on the Contempt Case against the Proprietors of the *Times* and *Courier*. The Judge took his Seat on the Bench at Eleven o'clock.

Mr. COCHRANE arose and stated he appeared for Messrs. Charles Binny Skinner, Henry George Gordon, James Calder Stewart, Frederick Maitland Davidson, Thomas Cardwell, Thomas Robert Richmond, William Mackie, and John Alexander Russell. He appeared also for the Proprietors of the *Courier* and tenders affidavits that Messrs. Remington and Hadow are not Proprietors.

Rule discharged as affects them. The other *Courier* Proprietors are Thomas Wingate Henderson, Humphrey Francis Boaden, Harry Fawcett, and Robert Wigram Crawford.

Mr. Dickenson is with Mr. Cochrane.

Mr. Herrick rose and stated "that he as Council was, instructed to appear for Framjee Cowasjee and to disclaim all knowledge of the article in the *Times* Newspaper, and to state that Framjee Cowasjee has the highest respect for the Chief Justice of the Supreme Court as well as for the Court itself, that he believes his Lordship on the occasion in question honestly and conscienscious discharged his duty, that the article in question appears to Framjee Cowasjee to be very scandalous and that he regrets it should have appeared in a Newspaper with which he is concerned, and therefore trusts his Lordship will discharge the rule,"—Rule discharged.

Mr. Herrick also appeard for Jemsetjee Jeejeebhoy and states that he was not in the slightest degree cognizant of the publication of the article referred to in the annexed rule, and he regrets that any expressions offensive to his Lordship should have appeared in a paper with which he is connected as he entertains the highest respect for His Lordship and is deeply impressed with admiration at his Lordship's administration of justice.—Rule discharged.

Messrs. Wright and Martin Proprietors of the *Times* disclaimed all cognizance of the article.—Rule discharged as regards them.

The Affidavits of the other Proprietors of the *Times* and *Courier* were then put in and filed, and a Petition entered as received together with an affidavit from the Proctor verifying the judgment of Sir Henry Roper.

MR. COCHRANE.—In no instance in my life have I risen under feelings of greater embarrassment or anxiety to address a Court—I am desirous of preserving the respect which is due to it even at the moment I am repudiating its authority—and I am quite satisfied that if this Court has passed an order which is not warranted by law, that your Lordship is the last person who would wish to enforce it. The question in this case is not whether these papers are Libels, but whether the Court can entertain jurisdiction over them as Contempts—Lord Eldon in a note to 1 Jacob and Walker 167 observes, "that the Court has no jurisdiction over it as a libel, and that it can be only complained of as a Contempt.' The same principle is supported by the observations of Lord Hardwick in 2 Atkins page 469—I think it therefore wholly beside the present question to enquire whether this be or be not a libel. If the Court possesses jurisdiction it must be supported on the ground of its being a Contempt.

The cases that bear on the present question are not very numerous, before I bend my attention to the argument of Chief Justice Wilmot in his extra judicial observations on the case of the King v. Almon—let me see whether any sound principle can be extracted from the decisions themselves, and whether one can derive any support from the conduct of Judges, whose judicial conduct has been slandered.—The first case I would call the Court's attention to is Pool versus Sacheverel page 675. Peere Williams vol. 1.—That was a case of a party advertizing a reward of 100 £ to any one who could make proof of a particular marriage. A motion was made against the party for a contempt. The Lord Chancellor observed that it tended to the suborning of witnesses in a cause then pending—To this it was objected that the matter was over, both the sentence in the Spiritual Court and the trial—Not, so says the Lord Chancellor it is not over, for if affidavits came in proving what was desired, it might induce the Court to overturn all proceedings. The next case is a leading one it is that of the printers of the Champion and Saint James's Evening Post reported in 2 Atkins page 469. In this case Lord Hardwick observes "that it was incumbent on Courts of Justice to preserve their proceedings from being misrepresented, and that the minds of the public should not be prejudiced *before a case is heard.*"

In both these cases proceedings were pending and the power of committal in such cases is absolutely necessary to the very existence of a Court the authority they posses is coexistent with their Establishment. Let me now see what has been the course pursued by the Judges in England when their conduct has been impugned. I wish from such cases to deduce an inferential argument against the power contended for here. The first is Jeffs case Croke's Reports Charles page 175. There he was indicted for a libel against Chief Justice Coke stating the judgment of the Court to be treason and calling the Chief Justice a traitor and perjured Judge, he fixed the libel on the great gate entering Westminster Hall on this he was indicted convicted and punished. The next case is Harrison's case in the same Volume of Croke page 503. There a gross insult was offered to Mr. Justice Hulton in open Court the party was indicted convicted, and punished and heavy damages were recovered by the Judge for the slander. The third case is the case of the King versus White reported in 1 Campbell 359. That was an information filed by the Attorney General for a libel against Mr. Justice Le Blanc charging him and the Jury in the grossest language with letting a murderer escape. The prisoner was indicted found guilty and punished. The fourth case is reported at page 170 of Holl on Libel it is the case of the King against Hart for a libel on Lord Ellenborough charging him with disgracing his station and preventing justice being done. The prisoner was tried and found guilty on an information filed against him by the Attorney General——In all these cases the Judges proceed by the constitutional remedy of information or Indictment and so far as their authority is concerned they negative the necessity and propriety of proceeding by attachment assumed by Chief Justice Wilmot. If the principal laid down by Wilmot be the true one that because the King's Justice is arraigned that therefore an attachment should go, the case of Wilkes against the King in error reported in Wilmot's observations would furnish a curious commentary on the principle sought to be established—for there every reproach is heaped upon the sovereign's Justice, and no such authority assumed; the proceeding was by information. Let me now see how far the cases have gone with regard to subordinate Magistrates and the argument will only differ in degree, for all are appointed to support the Kings Justice. The first is the case of the Queen versus Langley 2 Salkeld 697 where gross language was used regarding a Mayor—and at the same page there is reported the case of the Queen versus Wrightson where a man speaking of the warrant of a Justice of the Peace calls him a fool, an ass and a coxcomb, yet these words were not even sufficient to support an Indictment and declared to be mere breaches of good manners.

Let me in trying such authority call your Lordships attention to 3 Hawkins section 36 book 2 Chapter 22 where observing on the power of the Court to commit for contempt you will find that every one of the cases cited by him in support of the Courts right are cases of obstruction to the process itself during the pendency of some proceeding and do not in fact support the principle here contended for.

There are one or two cases more which appear to me to shew that the opinion of Chief Justice Wilmot is not supported by modern practice Before I do so permit me to observe that if the 53 Geo. the 3 Chapter 127 be the Courts guide in matters of Ecclesiastical contempts—this does not come under that statute for there only contempts in the face of the Court are specified. The first cases I have above alluded to as laying down a rule different from that of Chief Justice Wilmot is the case of Adams verses Hughes page 24—1 Broderip and Bingham where a party on being served with process collars the officer and forces him to quit his presence. There an attachment was refused on the ground that there was *no obstruction of the Courts process.* The next is the case of Myers verses Miles 4 Moore's Reports page 147 where a Defendant being served with process tore up the writ and threw it at the officer. There the Court refused an attachment saying that if the officer had been prevented serving the writ the Court would have grounds to interfere but being served they refused the attachment.

The next case is the case of the King versus Gilham 1 Moody and Malkin page 165. There a party exhibited inflamatery publications respecting a murder about to be tried and there Littledale and Gazellee held though indecorous it was not a contempt.

Such cases appear to me to bear strongly against the power assumed by the Court. I am ready to rest this question on the decision of the Judges of the land they are the only proper interpreters of the law their decisions should be our guide.

If we were to consult the records of the house of Commons what is there that might not be a contempt? So late as 1739 we find killing Lord Galway's rabbits a contempt of the house. In 1753 fishing in Mr. Jolliffe's pond another contempt, and in 1760 digging Lord Verneys ground and carrying away a tree another contempt—all this may be seen at page 14 of 9 Adolphus and Ellis in the case of Stockdale versus Hansard.

I am justified therefore in protecting against any thing being considered a fit interpretation of the law but the decisions of the ordinary tribunals.

I now approach what I may term the constitutional part of my argument, and affirm that unless it can be directly shewn that the authority contended for here is supported by law—that it is directly contrary to the language of the Great Charter which directs that no one shall be imprisoned but by the judgment of his peers *vel per legem terræ.* That I may not rest this upon my own statement, permit me to say that the principle is acceded to by Lord Ellenborough in the great cause of Burdett versus Abbott, 14 East, where he observes "as "to the first point which arises in this case: "has the House of Commons a right to "commit for breach of privilege? It has "been argued that they are prohibited from "imprisoning persons by the statute of "Magna Charta, and the 28th Ed. 3. c. 3:" —but the provision in Magna Charta directed against acts of unauthorized force "that no man shall be imprisoned but by "lawful judgment of his peers or *by the law "of the land*" and that of the 28 Ed. 3.— "that no man shall be put out of land or "tenement *nor taken or imprisoned,* nor disinherited nor put to death without being "brought in to answer *by due process of "law* are satisfied so far as they relate to "this subject, if the *lex et consuetudo parliamenti* be as Lord Coke and all the "writers on the law have held that it is, "part of *the law of the land* in its large and "extended sense." This was the only answer that could be given to the masterly argument of Holroyd—taking that principle therefore for my guide—let me see what must be established here—that such an authority is in unison with the law of the land, or else as I have above stated it contradicts the Great Charter. In the above case of Burdett versus Abbott, the then Attorney General Sir Vicary Gibbs may be pardoned for making use of Chief Justice Wilmot's argument extra judicial as it was in support of the interests of his client, but when that learned counsel proceeds to call it an admirable argument, he at once rouses and fixes the attention of a plain man like myself. He might perhaps be surprized to hear that in this admirable argument, the learned judge is guilty of one of the meanest of sophisms, of begging the whole question in dispute by assuming the necessity of committal. But let us see whether the principle on which he rests the authority of the Courts will bear even the test of examination mark how it crumbles at the touch.

"It is because the Judges are supporting the King's justice"—that Wilmot claims this power, what sort of support is that of the King's justice which Commences its existence by violating the first and plainest principles of the law of nature—which law forbids any man to be a judge in his own case.

But let us see whether Chief Justice Wilmot is a whit more happy in endeavouring to make his power of commital part of the lex terræ.

Is it usage which makes it part of the law of the land? If so—what sort of usage is that which can find no earthly authority, no decided case to support it.

The right of Courts to commit is not

founded on usage,—though usage may evidence the law—Courts of Justice were originally instituted to decide causes according to law—that is the end of their institution. The right to commit for the contempts I have already alluded to is part of their original authority, because they must have powers adequate to attain the end of their institution, and the necessity of committal in the cases I have spoken of, while it shews the nature of their authority at the same time limits its extent. If the principle I am combating were to be the rule of guidance, instead of such matters being defined all would be indefinite. The discretion of each particular Judge would be the rule of law and would necessarily, vary with the habits and temperment of the man.

If such a power had ever been carried into execution in England, to my view the legislature would have been forced instantly to interfere—for the assumption of such a power would in its operation have effectually destroyed freedom itself. To little purpose did Chief Justice Wilmot peruse the noble relics of classical antiquity to attempt to render them subservient to the destruction of the liberties of his fellow men.

How is it I ask that while the books are crowded with instances of committal that shew to my view their application and limitation. No instance (for I have searched in vain) can be produced of any decision to warrant so terrible a power, such a right is repudiated by the conduct of the Judges themselves when libelled. The old books are silent on its existence, upwards of half a century has gone by since Wilmot wrote, modern practice and the conduct of Judges themselves are against it.

Those who affirm the existence of such a power are bound to make it out as part of the law of the land. They cannot rest it in this case on the ground of actual necessity, because such necessity did not even exist in Coke's, Hutton's, Elienborough's or Le Blanc's cases.

If a contempt be committed it is laid down in 2 Kenyon p. 372 that an attachment was the proper course, yet if there be any weight in such an observation, the conduct of the four Judges I have spoken of would repudiate such a power.

Surely if there had been any pretence for asserting such a power, in troubled times bad men and wicked ministers would have eagerly employed it in the destruction of the sacred light of free discussion. The support of such a principle fixes no limit to the power of the Judge, and seems to me to be contrary to the provisions of the Great Charter.

In this case no fault is found with the decision of the Court, but with the propriety of a Judge's language.

Believing as I do that such a power would be destructive to the first principles of justice itself, here would that I could stop, personal respect nay even affection if you will allow me to say so to your Lordship restrain we from making any lengthened observations on the Judgement delivered by you—one thing I will alone mention and that is—that the fatal error if I may venture to say so originally committed, was your Lordship's taking any part in a discussion where your own conduct was impugned. In cases in England where Judges have even been counsel they not uncommonly retire.

Sir Henry Roper.—

And so I would also, had I not been placed on my defence.

Mr. Cochrane,

Surely my Lord that defence would not have sustained any injury by being confided to our late honored and respected Chief Judge. A few words more and I have done. If the course I have above alluded to had been adopted, all this melancholy discussion would have been avoided, and if even at the commencement of this, you yourself conceived that "an impartial or soothing judgement could hardly be expected from you." Can you I ask you on the oath to decide impartially that you took but a day or two ago can you with feelings excited and warm decide impartially here? I pass over without comment every other part of the judgment delivered. I have endeavoured to argue this question on the broad ground of constitutional law. To me the assertion of such power of committal appears to violate without necessity the first dictates of nature's law, and if carried into execution in England; would bury in one common grave alike the principles of justice and the liberties of my fellow men.

Mr. Dickenson followed on the same side as nearly as we could collect as follows: "This question involves much legal learning and personal feeling, and is of a delicate nature, as it discusses your Lordship's right and opinion as to your right, and I had hoped it might have been avoided as the Proprietors of the *Times* and *Courier* have come forward and stated by Affidavit that they never saw the article before it was in print. The Affidavits are before the Court. I will read the Affidavits.

Chief Justice.—"If this had been done before it would have been right, as the case has gone so far you had better proceed in your argument."

Mr. Dickenson—"Then my Lord I withdraw the Affidavits."

Mr. Cochrane.—"My learned friend has no business to withdraw any Affidavits put in by his Senior."

Mr. Dickenson.—"My learned friend has argued the matter on very broad grounds in which I entirely concur. I am not in a position the most solid which might be contended for.—I shall proceed first to discuss the abstract right of this Court to proceed on this matter, this is a proceeding on the Ecclesiastical side of the Court, and I object to the mode in which this attachment has been obtained, and also to the affidavits, which purports to be, affidavits of one Nesserwanjee who was told by one Dosabhoy Framjee that the parties were proprietors of the Papers. why did not Dosabhoy Framjee himself make the affidavits? Is this such prima facie evidence as could be placed before a Jury? —Two Parsees hear from each other, would a Jury acknowledge such hearsay evidence? —I protest against your Lordship taking the affidavits as evidence."

Chief Justice.—Let the affidavits be withdrawn.

Mr. Dickinson.—My Lord, these affidavits are a part of the ground of my defence.

Chief Justice.—Never mind the affidavits. Go on with the case.

Mr. Dickenson,—This is a rule obtained against the proprietors of the Bombay Courier and Times, for articles having been inserted in their respective papers, which have been said to have brought a contempt on this Court. In the "King v. Allmer," It is decided that there must be prima facie evidence of purchasing. Which in this case there is not. Supposing that proprietors are responsible for the views of their papers, the proprietorship must be proved, and unless it is proved, which it has not been, the parties cannot be held to be liable. There is no precedent in this Court or in any other for a proceeding of this kind, and on this ground I claim a discharge for the parties. We must be in possession of clear and conclusive evidence, and it is a most strange and unusual measure to pick out the proprietors of a paper, instead of the Editor or Printer and Publisher, such proceeding I hold to be unjustifiable, and not according to the Act 11th of 1835. There are two questions, which I shall argue, first, Has a contempt been committed, and secondly, Has a proper course been pursued? I shall argue the second point first. In the first place, your Lordship's jurisdiction in Ecclesiastical matters is the same as the Courts of Westminster, and the Ecclesiastical side of the Court, not being a Court of Record, does not vest your Lordship with the power, when sitting on the Ecclesiastical side, that you have taken, in thus vindicating your authority. Does your Lordship find the parties contumacious? If so, your Lordship has the power to excommunicate or assoil them, but otherwise you have no cognizance, except in the case of a Court of Record, you are now sitting on the Ecclesiastical side, and have no power for contempt, King v. Faulkner 525, C. M. and R's. reports, I should like to know what method of proceeding your Lordship will take? You are bound to follow the Law and precedence of the Queen's Bench, Mr. Commissioner Fane himself, when sitting in a Court of Request fined a person for a contempt in that Court, and on reference being made to the Court of Queen's Bench, the fine was set aside, and it was decreed that the Commissioner had no such power. A Judge sitting in Chambers is authorised by his functions and situation as Judge, to exercise that authority similar to those sitting in Banco in the Court of Queen's Bench, King v. Aylmer,—but is not protected from any contempt while sitting on the Ecclesiastical side. In all cases when proceedings are brought forward they must be signed by the officer and instituted in the Supreme Court. It can only proceed by the party swearing that they were contumacious? Are you prepared to commit them, as acting on the Ecclesiastical side of the Court? My learned friend has shewn and that most clearly that there is no precedent, and that the course of proceeding in this Court cannot stand as a case of procedure. In cases of contempt in Chancery, they are brought forward by the officers of the Court, ex-parte Jones 13 Vesey, and even when the Judge himself had considered that a contempt had actually been committed, as in the case of Long Wellesly, when the question arose if Long Wellesly could be committed for contempt, it was decided he could not. In 2nd Rushton's, Martin's case, then my Lord the case proceeded from his Lordship's motion, it is the only power of Chancery, and I would submit that your Lordship must follow the line adopted in that of the Court of Queen's Bench, and that you have no direct power to have adopted and pursued the course you have. In these matters you must apply to the Court of Record. It is the 1st Court recognised, by the New Charter (quotes the charter) and a peculiar jurisdiction is given to it, and that of the Equity Court. In Equity or jurisdiction you are possibly warranted, tho' I do not myself believe you are. In the Admiralty Court you might also perhaps be warranted, either by a committal of the parties implicated, or declaring that they are contumacious. numbers of cases of libel on Judges have occurred, but in all, nearly, have the Queen's Government alone instituted the proceedings, 'tis not in the power of a Court of Justice to institute proceedings where the Judge of that Bench is concerned. However it is too late to argue on the danger of power being abused. In all cases when Judges have been libelled, the Attorney General has invariably, as the Officer of the Public, instituted the proceedings, and this is a great argument to shew that the Public are interested in the dignity of their Courts of Justice. I therefore do deny your right to adopt the course you have, a party uninterested ought to have prosecuted, 5th Barnard and East, Rex v. Aylmer, Rex v. Clement. In an Oyer and Terminer Court, if the evidence is prima facie, the case is different. In the proceedings in the trial of Thistlewood, it was ordered that the evidence should not be published, as it might interfere with, and obstruct the procedure of Justice, and prejudice the minds of the public against the Prisoner. In all cases of prosecution when private individuals are concerned, more particularly in cases of attachment which are appeals, the Court have always on prima facie evidence granted attachments but not otherwise, as it would place the Court in a predicament. Judicial proceedings may be published as they tend to the advancement of Justice, it has always been allowable, and justly so, but invective and improper language must not be used with impunity. I argue that the article in the *Courier* is an impartial criticism.—I do not mean to justify that in the *Times*, that is a contempt.

Mr. Cochrane.—This is one way of arguing the case certainly, cutting away your leaders argument.

Chief Justice—You may take the admission of the contempt back, Mr. Dickenson.

Mr. Dickenson—The remarks in the *Courier* do not appear to me to be contemptuous. In your Lordship's judgment in the case of Messrs. Forbes and Co. you stated that cases had been known where every impediment had been thrown by Merchants in the way of the Registrar, towards preventing him administering to the estates of defunct persons. My Lord, this is a very grave and most serious charge against the Mercantile community.

Chief Justice--This is very strong language however any thing you choose to say, I'll listen to. I did not allude to the Merchants here now, as most of them are new houses, I spoke of those existing in former days.

Mr. Dickenson.—The article in the *Courier* does not impute any thing personal to your Lordship, I deny that any provocation is shewn in the Courier. The Times contains invective, I argue that the Courier contains nothing but fair criticism.

It is a Merchant's paper taking up a Merchant's quarrel. It is certainly not a libel in the Courier and no one would conceive it to be.

Chief Justice. But what are the technical objections?

Mr. Dickenson. The objection to the rule is that it is on the Ecclesiastical side and signed by the Ecclesiastical Registrar.

Chief Justice.—Let the Court be adjourned for half an hour and by that time I shall have arranged my notes. The Chief Justice returned into Court about 3 o'clock and said as follows.

Sir H. Roper, Chief Justice.—

I had no idea the affidavits alluded to by Mr. Cochrane had for their object to deny a guilty participation in publishing the articles in the newspapers, and from the circumstances I believe they had not such object. They were not brought forward in such a way as might lead me to suppose such was their purport. On my observing that affidavits were not insisted on, but that mere oral statements, without oath should be considered sufficient by me, not one word was said as to the parties denying any wilful participation in publishing the objectionable matter. The Counsel proceeded to argue the question on the broad merits: in no degree professing on the part of his clients to disclaim the article, but on the contrary justifying and upholding them. The junior counsel afterwards requested to withdraw the affidavits and permission was granted accordingly.

The first question is whether the publication of this article in the *Bombay Times* of the 3rd of March be a contempt. In making the order that the alleged proprietors should appear and answer, I went on the position that the publication was direct contempt by scandalizing the Court.—But the matter may be considered in another view, namely, whether the publication be not also a contempt constructively and by inference. The arguments of counsel have almost entirely hinged upon cases of constructive contempts, and happily cases of direct contempt are rare. Having issued the rule upon the idea that this article in the *Times* was a direct contempt, the consideration whether it be not also a constructive contempt is not strictly necessary, but as arguments to show the article is not libellous or contemptuous have been drawn from what was said or done by me in reference to the applications made by Messrs. Forbes and Co, I would not seem to evade this view of the question. From those topics and the position and conduct of Messrs. Forbes and Co. and the position of the proprietors of the *Bombay Times* newspaper it has been argued that the article in question was a fair stricture or criticism. In determining whether it was so, it is material to consider the motives or feelings which may have biassed the respective parties, and if upon the whole it appeared the publishers of this article were not impartial critics, but had been influenced by angry feelings towards a judge, who had commented in severe terms on what appeared to him reprehensible, and persons with whom such publishers had, or thought they had a common interest, and that the article might intimidate the judge and deter him from commenting in like manner on future instances of supposed misconduct, then the article would be constructively and by inference a contempt, and especially so, if it should seem that such had been the objects of the publication. As I have already observed it is not necessary to show that the publication is in this case a constructive contempt, but grounds for supposing it to be so may arise from investigating whether the article be a fair criticism, and light be thrown on that question by considering the motives and feelings which may have influenced the publishers and myself.

When the application for administration with an *alleged* copy of an *alleged* copy of an alleged will annexed was made to me on behalf of Mr. Charles Forbes, I was on amicable terms with him and some 3 or 4 members of the House in which he was a partner:—with two of them indeed I was almost intimate. Thus far there is no apparent ground to conclude, I was induced to endorse on the petition my reason for refusing the application otherwise than by a sense of duty, and a wish to check the parties, I afterwards more explicitly referred to. The notorious facts that concealment of estates and wills from the Registrar had long been a system:—that judges here had often times alluded to it: that the Registrar had in my presence more than once complained of it, should tend to support any allegation that I was merely influenced by a sense of duty—the more strongly felt because in the case brought before me serious expense had been incurred through the means adopted to carry out the system. But it may be said the language was too strong—most derogatory to Messrs. Forbes and Company.—Admitting that Messrs. Forbes and Company are unaccustomed to have such language applied to them, disinterested persons may easily ascertain whether language equally strong and upon grounds no stronger than those which existed in the case of Forbes and Company has not been frequently applied in this Court and in other Courts, in England and elsewhere to other parties, and Sir John Awdry has said "Messrs Forbes and Company merely got what they had laid themselves open to." But Messrs. Forbes and Company thought differently and moved to take the petition off the file. Lawyers know that such an application is one of the most violent and hostile measures which can in practice be adopted between party and party.—How much more so when restored to with respect to a Judge! As Messrs. Forbes and Company employed counsel on the occasion, I could not doubt the matter had been represented to them in that light. Every feature of the proceeding and the time, mode and place of bringing it on went to show it was intended as an attack upon me when upon the bench. During the proceeding, I two or three times mentioned that such was the impression on my mind. The Counsel for the parties could not deny the impression was correct. I mentioned that the deportment of one the parties in private society impressed me with the belief that the proceeding was meant as an attack on me when upon the Bench. Such was the avowal of the very counsel who acted for Messrs. Forbes and Company on the occasion, and it affords some grounds for supposing that the Bar and disinterested persons took the same view of the matter. Did not parties who adopted such a proceeding with such an object merit the severest represension! Did they not give great provocation! If disinterested persons think so—then this article in the *Bombay Times* is not a fair criticism. I do not take it upon myself to say that such is the opinion of the disinterested, but I have not the slightest reason to think it is not so, and therefore have no reason as yet to doubt the correctness of my own opinion that the article is unfair, and if it has emanated from a merchant or merchants at Bombay, or from one employed by or in the interests of the Mercantile community, an impartial criticism on the matter could hardly be expected from such a source. That the article had for its objec to intimidate me or other judges from answering persons of the like rank or station as Messrs. Forbes and Company, I will not assert, but that it might have such an effect is pretty obvious.

Without insisting on the publication of this article, however, as a constructive contempt, it is sufficient for me to observe I have no doubt it is a direct and positive contempt as being a libel on the administration of justice in this and other Courts, and as containing words scandalizing and importing scorn, reproach or diminution of the Court. Mr. Justice Buller in the King versus Watson and others says, "that Lord "Mansfield frequently directed juries to "read the paper stated to be a libel as men "of common understanding, and say whether "in their minds it conveyed the idea imputed." It appears to me that any man of common understanding on reading this article would say, it imported scorn, reproach or diminution of the Court. That publishing such matter is a contempt of the highest order is appearent from 2 Hawkins page 220. The Practical Registrar page 133—the anonymous case in 1st Salkeld page 841. Roache versus Garrow, 2 Atkins 471, and many other authorities.

The article in the *Courier* Newspaper of the 9th of March unequivocally charges the Court with having "evinced an inclination "to support the interests of the Ecclesiastical Registrar by discouraging to the utmost all claims to administration by those "who though not next of Kin to deceased "persons, nevertheless enjoyed their confidence when alive." It also unequivocally imputes to the Court "partiality to the "Registrar." The matter therefore comes within Watson's case, Lieutenant Frye's case, and that class of cases. The effect would be to deter the Court from receiving applications on behalf of the Registrar as freely as the applications would otherwise be received, lest partiality should be imputed to the Court. The publishing such an article is unquestionably a contempt, though by no means so heinous as the publication of the article in the newspaper called the *Bombay Times*. The observations on constructive contempts made with reference to the article in the *Bombay Times* are equally applicable to this article in the *Bombay Courier*, and tend to show the latter article is not an impartial criticism.

It is said the Courts never punish summarily or proceed by attachment unless where the process or progress of justice is obstructed by the contempt, and certainly not when the case has been adjudged, and is at an end. But what was done in the anonymous case in the 1st Salkeld. The party had been served with the rule: therefore there was no obstruction; but having said he did not care for the Court—he was proceeded against by attachment and the attachment was issued in the first instance.

Again, as to not proceeding as for a contempt where the cause has been decided, read what was done in Lieutenant Frye's case reported in the notes in Holt on libel page 158.

"Lieutenant Frye, of the marines, in the years 1743, was sentenced to fifteen years imprisonment by a court-martial. For this most iniquitous sentence, he brought an action against the president of the court-martial, and recovered 1000l. damages. In pursuance of what fell from the judge who tried the cause, the plaintiff commenced actions against the other members of the court-martial who had passed the sentence, and they were arrested by *capias*, at the breaking up of the court-martial against admiral Lestock, of which they had also been members. This court-martial took upon itself to pass some resolutions reflecting on Sir John Willes, chief justice of the court of Common Pleas, which were laid before the king. Upon this, the chief justice caused every member of the court to be taken into custody, and was proceeding to assert and maintain the authority of his office, when a written, and contrite submission, signed by all the members of the court, stayed the progress of justice. The submission, transmitted to the lord chief justice, was ordered to be read in open court, and to be registered in the remembrancer's office; and it also appears in the London Gazette of 15th November, 1746, "A memorial (as observed by the lord chief justice) to the present and future ages, that whoever set themselves up in opposition to the laws, or think themselves above the law, will, in the end, find themselves mistaken."—*C. Pl. Ms.* 1743."

Also see the case of the Corporation of Norwich.

"As where one Hurry, having been maliciously prosecuted for perjury by the defendant and acquitted; and after having recovered large damages, for the malicious prosecution, from one Watson,—the corporation of Norwich of which he was a member, made an *order in their books*, voting him 2,300l. in consideration of the verdict against him, and declaring it was done in consideration of his having been actuated by motives of public justice, and for preserving the rights of the corporation, and supporting the honor and credit of the chief magistrate. The court of K. B. held this to be a libel on their proceedings and the administration of justice, and made a rule absolute for an information against the defendants. In the case Buller, justice, observed, "nothing can be of greater importance to the welfare of the public, than to put a stop to the animadversions and censures which are so frequently made upon courts of justice in this country. They can be of no service, and may be attended with the most mischievous consequences."

It is undoubtedly allowable to discuss in a decent and temperate manner the proceedings of a court of justice—to suggest error, and with a view to fair criticism, to censure what is apparently wrong. Mr. Justice Grose's observations in the King versus White support that doctrine, but one of the Counsel for the parties has admitted the article in the *Times* to be a contempt, and although for form's sake, I have allowed him to withdraw the admission, I cannot but find my own opinion strengthened by having heard such sentiments expressed in such a quarter.

It is said no power to proceed by attachment in such a case exists according to Magna Charta or the law. But it is rather too late to contend for such a doctrine, and the opinions of Mr. Justice Wilmot are

recognized and approved of by Mr. Justice Holroyd in the King versus Clement and by others, and Mr. Justice Holroyd was not then Attorney General or Counsel, but was delivering a solemn judgement on the case before the Court.

The publication of such articles being contempts, and the Court taking notice of them as such, questions arise as to what proceedings should be adopted and against what party or parties. My conduct has been impugned for causing proceedings to be instituted against the proprietors of these newspapers instead of against their respective printers and publishers, and it may be satisfactory that I should be explicit on this subject.

In England by the 6th and 7th W. 4. c. 76, no person can print or publish a newspaper until a declaration has been delivered at the stamp office setting forth, amongst other things, the name of every person being a proprietor resident out of the United Kingdom, and also of every person being a proprietor resident within the United Kingdom, if the number of such last mentioned persons shall not exceed two, and in case such number shall exceed two, then the names of two resident proprietors whose respective shares shall not be less than the proportional shares of any other resident proprietor, specifying the amounts of such respective shares. By the 29th section of that statute a bill to discover the printer, publisher, or proprietors of any newspaper in aid of an action for damages cannot be demurred to, but the discovery is to be compelled, and the 1st of William the 4th c. 73 requires publishers of newspapers and pamphlets to execute a recognizance or bond, with sureties, for securing payment of fines, damages and costs. By such enactments in England great protection is afforded against the printers, editors and proprietors of a newspaper, but in this country it is merely required by a local act of 1835, that the printer and publisher of a periodical work shall avow himself. No security is required from him, and the proprietors are unnoticed. Hence a person is usually put forward as printer or as publisher who has in fact little or nothing to say to editing the work, and who is very incompetent to pay fines or damages. But proprietors are not exempted from responsibility for misconduct in the work they carry on or by which they profit, although the means of discovering them are not as simple as they might be. In this instance it seemed impossible that the printers had any wilful participation in the office. The editors were prima facie guilty parties, but on writing instructions to my clerk regarding some official business on the 3rd of March, I asked him whether the article which had appeared that day in the *Bombay Times* had been inserted in the monthly summary of the preceding day. On the following evening I received one, or, I think two notes from my clerk, from which it appeared he had held conversations with the Editor of the *Times* upon the subject. Such conversations had been holden without my knowledge or consent, and I much regretted they had occurred. Still, as they had taken place it seemed unfitting to proceed against the Editor of the *Times* and as he had been exempted, it appeared advisable to show the like forbearance towards the Editor of the *Courier*.

Proceedings against the printers or editors being deemed inexpedient, the proprietors alone remained. To hold them responsible appeared peculiarly suitable, because the quesion affected certain of the mercantile community, and it was generally believed that the principal proprietors of these newspapers were merchants. For my own part I only knew that Mr. Howard and Mr. Montriou were proprietors. I believed that two other gentlemen of my acquaintance were proprietors and with regard to one of them it seems I was mistaken. But as some of the proprietors were or might be my personal friends there was an additional reason for proceedings against the proprietors, lest forbearance should be imputed to private feeling. It was also necessary, as Mr. Howard and Mr. Moutrion were barristers practising in this Court, that they should disavow the contempt, a measure I was sure they had sufficient magnanimity and generous feeling to adopt. I was happy on observing them at the bar to have it in my power to give them an opportunity for such disavowal in the first instance. I by no means thought that amongst the other proprietors there were not several as little culpaple as *Mr.* Howard and Mr. Montriou, and I should have given the like opportunity to the other alleged proprietors at the same time, had I observed them in attendance. But I then publicly stated, that any gentleman who either verbally said he was not a proprietor or was not knowingly or wilfully a party to the publication, should at once be relieved from further vexation on the subject. It is to be regretted the proprietors are so numerous, but if numbers were to exempt from liability, there would be no protection against a numerous body of proprietors; they might with impunity become a scourge to society.

Having resolved to hold the proprietors responsible, I requested an officer of the Court to take the necessary measures for bringing the parties before the Court, and assisted by a Solicitor, he took such measures accordingly. Until after the affidavits were framed, I had no idea from what source the information was derived or by whom the affidavits were to be made, and I never had the slightest communication on the subject with any of the persons who either gave the information or made the affidavits.

It has been suggested the proper or only course in such a case is to proceed by information or indictment. That it is not the only course is obvious from Frye's case, already read, and other cases in which Courts have treated the like offences as contempts, and punished them summarily:—that it is not the usual course of proceeding for contempts is equally obvious from the same authorities. As Mr, Baron Wood said with reference to the king versus Clement, "If the only proper proceeding "were by indictment that would be a salvo "for all contempts; for a judge, if he could "not take a much more summary course, "but were obliged to await the result of "an indictment before he could enforce "his authority would be a mere cipher on "the bench." Mr. Baron Graham and Mr. Baron Garrow expressed the like sentiments. Here, the summary proceeding is peculiarly suitable, the offence being great, the supposed offenders being numerous, wealthy and influential, and their conduct and perseverance evincing a disposition on their part to resist and set themselves above the law. It might also be observed that a great number of gentlemen of the mercantile profession are associated as proprietors of these newspapers. The circumstance renders the proceeding by indictment or information very objectionable.—Must not such a body have great influence, and it seems to me expedient that an insult of this description to a Court situated as this Court is, in a small Society, at a great distance from home, and without the same facilities that might exist in England for the trial of such a matter by an impartial jury should be taken notice of summarily, and in such a way as to shew the Court is fully empowered to vindicate and protect itself.

Teffe's case has been relied on as showing, that even when Sir Edward Coke was libelled, the proceeding was by indictment. But the facilities for procuring a fair trial of such a matter in England are and then especially were much greater than they are here, the evils of delay and forbearance to assert promptly and summarily the dignity of the Court, were also much less than they are here, and when Teffe put in a scandalous pleawithout any further proceeding or any trial he was at once committed, adjudged to be put in the pillory, with a paper mentioning the offence—to be brought, with such paper, to all the Courts at Westminster and to be continued in prison till he made his submission in every Court.

I sincerely wish another judge had been here to take cognizance of the matter, but circumstances have imposed it upon me; and I sincerely hope and believe I am doing my duty and no more, and that I am doing it with due caution and forbearance. The 13th of George 3d Chapter 63, the other statutes relating to this Court, and the Supreme Court of Calcutta and the charter of this Court clearly establish that this Court is invested with a jurisdiction of the Queen's Bench in England—It is also invested with Ecclesiastical jurisdiction—For the sake of order and regularity the Ecclesiastical business is conducted on what is termed the Ecclesiastical side of the Court, but still in the Supreme Court, and not in another, or inferior Court—Although certain periods for the dispatch of particular business are usually appointed under the names of terms, sittings, or sessions, yet it is not essential to adhere to, or observe them—The Court may sit oftener or at other periods for the dispatch of any business. It is always open, and like the High Court of Parliament, the chancery and inferior Courts is not obliged to observe the terms.

It follows that a Contempt of the Court in the exercise of its Ecclesiastical jurisdiction is a contempt of the Supreme Court; and that no advantage can be derived from subtle distinctions, as to whether the Court was sitting or not sitting at the time of committing the alleged contempt, Mr. Justice Holroyd says in his judgment in the King versus Clement page 233. "If is perfectly clear, as to the Courts at Westminster, that contempts may not only be in the face of the Court, but that they may be committed out of the Court. In the argument of Wilmot C. J. in the King versus Almon he shews clearly that publications libelling the Superior Courts may be punished as contempts."—It may be added that the very article itself alleges, that the proceedings were had in the Supreme Court—not in any inferior Court or inferior branch of the Court.

I shall now dispose of the objections founded on the affidavits and rules. It has been argued that they are wrongly entitled upon the Ecclesiastical side of the Court. It is apparent from the King versus Edwards 1st Blackstone's Report page 637 that an attachment itself is a mere process to bring in the party, and there is no charge till the interrogatories are filed. From Tidd's practice page 487 it appears that motions and affidavits for attachments in civil suits are on the plea side until the attachments are granted, and the like practice exists in the common pleas and Exchequer. On these grounds I think these affidavits and rules are rightly entitled on the Ecclesiastical side of this Court, the side on which the proceedings were had to which the alleged contempts referred.

But it is said in this instance, the affidavits are insufficient to warrant proceedings against the parties before the Court, it not being positively sworn that they are proprietors of these Newspapers respectively, but merely that the Deponents are informed and believe the parties so before the Court are such proprietors respectively. The objection is founded on misapprehension of the Law, and practice. In the 2nd Volume of Hawkin's pleas of the Crown page 206 an attachment for a contempt is mentioned as process which may be awarded by the discretion of the justices upon a *bare suggestion* on their own knowledge without any appeal, indictment, or information. The same doctrine is recognized in Comyn's Digest, and if Blackstone's commentaries can be considered an authority, the following passage might be referred to in the 4th Vol. page 286 of that work.

"If the contempt be committed in the face of the court, the offender may be instantly apprehended and imprisoned, at the discretion of the judges, i without any farther proof or examination. But in matters that arise at a distance, and of which the court cannot have so perfect a knowledge, unless by the confession of the party or the testimony of others, if the judges upon *affidavit* see sufficient ground to suspect that a contempt has been committed, they either make a rule on the suspected party to shew cause why an attachment should not (j) issue against him;" or, in very flagrant instances of contempt, the attachment issues in the first instance; (k) as it also does, if no sufficient cause be shewn to discharge, and thereupon the court confirms, and makes absolute, the original rule. (20) This process of attachment is merely intended to bring the party into court: and, when there, he must either stand committed, or put in bail, in order to answer upon oath to such *interrogatories* as shall be administered to him, for the better information of the court with respect to the circumstances of the contempt. These interrogatories are in the nature of a charge or accusation, and must by the course of the court be exhibited within the first four days: l and, if any of the interrogatories is improper, the defendant may refuse to answer it and move the court to have it struck out. m If the party can clear himself upon oath, he is discharged; but, if perjured, may be prosecuted for the perjury. n If he confesses the contempt, the court will proceed to correct him by fine, or imprisonment, or both, and sometimes by a corporal or infamous punishment. o If the contempt be of such a nature, that, when the fact is once acknowledged, the court can receive no farther information by interrogatories than it is already possessed of (as in the case of a *recous*), the defendant may be admitted to make such simple acknowledgment, and receive his judgment without answering to any interrogatories: (21) but if he wilfully and obstinately refuses to answer, or answers in an evasive manner, he is then clearly guilty of a high and repeated contempt, to be punished at the discretion of the court."

In this instance the Court has not as yet issued attachments, or even rules to show cause why attachments should not be issued.—A milder course has been adopted, and as a rule similar to those made in this matter on the 18th instant, was made by an inferior Court, a Court of Gaol delivery, in the matter of William Tunell Clement, and the form of which rule will be found in the 11th Vol. of Prices Reports pages70 and 71 there can be no doubt this Court is competent to issue such orders An order somewhat similar was also made by the Lord Chancellor in the case of Mr. Lechmere Charlton.

In Clements case the evidence was so strong on affidavits that it might heve been holden conclusive in the first instance and a fine or imprisonment might at once have been imposed upon him as is obvious from the chief Baron's observations on the case. It was not however held conclusive in the first instance, for a rule affording him opportunity to answer, was made, when in this instance, orders were made similar to that in Clement's case, it was supposed all parties would avail themselves of the opportunity afforded. That they would either collectively, or individually express regret for the publication of the article they are charged with having published, or that indiuiduals alleged to be coproprietors would either disclaim being proprietors, or having knowingly, or intentionally become parties to the publications, and as already observed, parties making such statements would at once be exempted from further trouble in the business, But four persons have had the magnanimity to come forward in that manner, and I should be justified in issuing attachments immediately against those who have rejected such opportunities. I wish however to afford another *locus penetentiæ* and accordingly, on reading the order of this Court made upon Charles Binny Skinner on the 18th instant, and upon reading the article and affidavits upon which such order was founded and to which the said order refers, and further upon hearing Mr. Cochrane and Mr. Dickinson Counsel for the said Charles Binny Skinner, a rule is made to shew cause why an attachment should not issue against the said Charles Binny Skinner, for publishing or causing to be publishtd in the said Newspaper called the "Bombay *Times*, or Journal of Commerce," the said article in the said rule or order of the 18th instant referred to, unlawfully and in contempt of this Court. Cause to be shown on Tuesday next the 30th instant.

The like rules are also made with respect to the other Gentlemen, respectively alleged to be proprietors of the "Bombay *Times*, and Journal of Commerce."

And the like rules are also made with respect to Mr. Henderson, and the other Gentlemen respectively alleged to be proprietors of the Bombay *Courier*.

There must be separate rules or orders, one for each person, and each order must be personally served on the person upon whom such order is made."

The Chief Justice concluded his observations by directing rules to be drawn up and personally served upon each of the several Proprietors who had not disclaimed, to appear on Tuesday next to shew cause why an attachment should not issue against them, he said he adopted this course in preference to proceeding by attachment in the first instance, in order to give each of the parties another opportunity of either disclaiming all guilty knowledge of the articles in question or regret for their appearance in the journals referred to.

Mr. Cochrane, My Lord may I reqest that the Affidavits originally put in may be read. Your Lordship will find that they contain a full denial by the respective proprietors of their having seen the articles until after their appearance in the public prints.

The Chief Justice at first objected but ultimately acceded to the request.

The Affidavits of Messrs. Fawcett Henderson, and Boaden were then read by the registrar and afterwards perused by his Lordship.

As the Affidavits of all the Proprietors of the *Courier* and *Times* are respectively the same we have given one of each.

In the Supreme Court of Judicature at Bombay Ecclesiastial side.

In the Matter of the alleged contempt of Thomas Wingate Henderson one of the Proprietors of the *Bombay Courier* Newspaper.

Thomas Wingate Henderson of Bombay Esquire maketh oath and saith that he is a partner in the firm of Messieurs Remington and Company of Bombay and that he is a Proprietor of the News-paper called the *Bombay Courier* and this Deponent further maketh oath and saith that he this Deponent never saw the article mentioned in the copy of the order made by this Honorable Court on the Eighteenth instant hereunto annexed previous to the Publication thereof or until he read the same on the forenoon of the Ninth day of March, instant, the day on which the same was published, and further that he has not been privy to the publication of any article observation, matter or Thing, in the said News Paper of the Ninth day of March in contempt of this Honorable Court.

(Signed) T. W. HENDERSON,

Sworn at Bombay this Twenty sixth day of March 1841. } Before me.

(Signed) O. W. KETTERER, Commissioner.

In the Supreme Court of Judicature at Bombay Ecclesiastical Side

In the matter of the alleged contempt of Charles Binny Skinner one of the Proprietors of the *Bomday Times* News paper and Journal of Commerse.

Charles Binny Skinner of Bombay merchant maketh oath and saith, that he is one of the Proprietors of the *Bombay Times* News-paper and Journal of Commerse, and that he never saw the article mentioned or referred to in the order hereunto annexed beginning with the words "at the request of Messrs. Forbes and Co. "and ending with the words" a Society of Gentlemen" until he received the copy of the said News-paper in which it is contained on the first day of March instant which was published for transmission to England by the overland dispatch nor had he any previous knowledge thereof in any way whatever.

(Signed) C. B. SKINNER,

Sworn at Bombay aforesaid this twenty seventh day of March 1841. } Before me

(Signed) O. W. KETTERER, Commissioner.

C. J. These Affidavits contain a full disclaimer of any knowledge of the article in the *Courier*, a disclaimer similar to that on which I discharged the rule as against Messrs. Martin and Wright I regret much that these Affidavits were not more particularly brought to my notice in the first instance as I think they ought to have been, when a knowledge of the disclaimer contained in them would have rendered all this unnecessary."

Some of the Affidavits of the Proprietors of the *Bombay Times* were then read by the registrar and afterwards attentively perused by his Lordship.

Mr. Cochrane.—"All the Affidavits of those Proprietors are nearly the same and conclude with the same general sweeping clause."

Chief Justice—"I am dealing with gentlemen and I do not deem it possible that persons of their rank and character would have recourse to mental reservation"

Mr. Cochrane,.—"Certainly not my Lord. I look upon their Affidavits as containing a full disclaimer of any knowledge of the articles in question."

C. J.—"I must again express my regret that these disclaimers were not brought more particularly to my notice this morning, I also regret that these gentlemen have been brought here to disavow on oath a guilty knowledge of a participation in the articles in question, when I repeatedly stated in the most explicit manner that their simple disavowal of that knowledge or participation would be deemed ample by me. It only now remains to dismiss the rule as to all parties full dismised.

I have already stated my intention of taking no proceedings against the editors of either of these papers and see no reasons for regretting that resolution and shall take no farther proceedings in this matter.

i Staund. P. C. 73. *b.* j Styl. 277. k Salk. 84. Stra. 185. 564.

l 6 Mod. 73. m Stra. 444. n 6 Mod. 73. o Cro. Car. 146.

(20) For further information as to the see Tidd, 8ed, 486, 7, obtaining and issuing an attachment.

CALCUTTA.

ENGLISHMAN MARCH 16.

A letter from the Rungpore district, dated 13th instant, says—

"I am glad to say, that we have had some showers of rain, and that the sowings are more forward than they have been at the season for the last three years.

The second performance of "*The Wife* at the New Theatre last evening was a great improvement upon the first. Mrs. Leach was in excellent voice—*Ferrando* looked the villain he is pourtrayed by the author: *St. Pierre* played, if possible, with more force and energy; and *Antonio*, the confessor, spoke with much more distinctness. The scenes worked with greater smoothness, and even the band felt the benefit of a little practice. The house was so full on the first occasion that it could not be expected that many persons would attend upon the second representation of the *Wife* Nevertheless there was a very respectable audience of at least 200 persons, who loudly applauded the performance throughout.

Our *Eastern Star* contemporary is, we find, somewhat premature in his announcement regarding the sale of the *India* Steamer, to the Precursors. There is, we believe, a strong disposition on the part of *some* members of that active Company to effect the purchase, but others of the same Association are rather inclined to make their share in the purchase dependent upon the Comprehensives joining in the speculation. Whatever is ultimately done, will we are assured, be the result of due deliberation, and the assent of the agents for the *India* to such alterations as the intending purchasers may consider necessary to qualify the vessel for the Red Sea voyage. At present, all is a matter of *its* and *ands*.

HURKARU, MARCH 15.

We learn from the *Eastern Star*—the organ of the *Precursors*—that this party has made arrangements for the purchase of the India Steamer, and that "after making material alterations," they intend to start her in June next. We are very glad to hear it.

NURSERY RHYMES,
DEDICATED.
to the
PRINCESS-ROYAL.

(*Tune*) "*Who killed Cock Robin?*"

Who boned the Dost?
I said MacNaughten,
My Money him brought in,
Very rarely I boast,
But I cleared the coast,
And I boned the Dost.

2.

Who laid the snare?
I did says Burnes,
With my twisting and turns
Into all his concerns,
Here and there, every where
I laid the snare.

3.

Who salted his tail?
I said old Sale,
Up hill and down dale.
I marched without fail,
Red hot on his trail,
And I salted his tail.

4.

Who disjoined his nose?
I did says Dennie,
As hardy as any,
With my Bamming (*Bamean?*) and blows,
I *rayther* suppose,
I disjoined his nose.

5.

Who settled his hash?
Ponsonby and Frazer,
Brave as *Julius Sayzer*,
In their gallant way sir,
They went at him slap dash,
And they settled his hash.

6.

Who wrote the thanks,
I Willoughby Cotton,
Or I'm herring that shotten,
Notwithstanding your pranks,
Threes about in the ranks,
I wrote the thanks.

7.

Who made the plan?
I said the Earl,
The poor Dost, down to hurl
My eyes! what a purl,
But it made me an earl,
George Auckland's the man,
In my Simla divan,
I concocted the plan.

8.

Who got the spoil?
I said the Shah,
I'd the best of the war,
I should fancy by far,
In the Balla Hizzar,
I was snug all the while,
But I got the spoil.

9.

Who paid the piper?
I said the Ryot,
Got served with a "fiat"
It shortens my diet,
But I'm told to keep quiet,
Honest John is the Griper,
But I pay the piper.

Delhi Gazette, March 3.] AH! VÆ!

European Intelligence.

We are glad to see the attention which is paid by our Paris contemporaries to the reproduction of the Speeches at the opening of our Parliament. The evidence which they afford of the respectful and friendly feelings entertained towards France cannot fail to conciliate those of our French neighbours who are not predetermined to find fuel for hostile feelings towards England. They present the strongest possible contrast with such sallies as Count Jaubert's such lyrical effusions as MM. Hugo and Delavigne's, and even such lucubrations as M. de Carne's and M. de Beaumont s.

The expression of the feelings which really animate all classes in this country in favour of peace and friend-hip with our nearest and most powerful continental neighbours, cannot too unequivocally convey the universal conviction of the importance to the peace of the world that those relations should sustain no rupture. The *Journal des Debates* well observes.

"While the French press and Parliament declare that France is humbled and degraded, the English press and Parliament represent us strong, great, and respected as ever. Thus the foreigner is more French than ourselves, and provides us with the modesty, the dignity, and the patriotism which we have not shown ourselves. What particularly attracts our attention is the unanimity with which men of all parties, without any exception—Tories, Whigs, and Radicals—express their respect for France, their sympathies for its people, their regret to see it separated from England and Europe, and their desire to see it re-enter on honourable terms into the European confederation."

While, however, the language of English politicians cannot be too unequivocal, as regards the consideration due to the rank of France in the federal system, yet we must not allow *party* politicians to do wrong to their own country, under the fair colour of doing right to France. Regret cannot be out of place at the split of policy, and supposed interests. But reproach is out of place at some supposed origin of that split in some supposed abruptness and want of courtesy on the part of our foreign minister. No harm can be done by such suppositions in the public mind of our French neighbours. They have long been abandoned as untenable by common consent in France. If Sir Robert Peel has read the discussions in the French Chambers as duly as we have, he must be well aware that no serious stress has been laid on the point which it pleases him to lay such very serious stress upon. If he has not read them (which is very likely), then his quotations of M. Guizot's speech were a cheap parade by one knowing little of those discussions to others who knew less. It is a great rhetorical secret—the knowledge how far to presume on ignorance.

We do not, however, choose to wink at that ignorance of the views of French statesmen, which, whether existing in Sir R. Peel, or presumed by him in his audience, could alone have led him to attempt persuading them that a small additional dose of courtesy towards M. Guizot, while Ambassador here, might have obviated the difference! It so happens we have positive and direct evidence to the contrary. Independent of the expressions used by M. Sebastiani, which indicated a *parti pris* against our policy some time before, we have before us a speech of M. Thiers delivered last February, that is to say, in the course of the very month before he became minister, and while he was, of course, aiming to express himself in the most popular manner, and the manner considered most conformable to the foreign interests and honour of France. In that speech M. Thiers expressed himself as follows with reference to the Eastern question:—

"I think that reasons presented with prudence could not fail to act upon the English Cabinet. However, I do not hesitate to say, that if, notwithstanding all the good reasons that France can give, *to justify her refusal of its propositions*, those reasons should not be acquiesced in by that Cabinet—I do not hesitate to say that I should advise my country *not to break the alliance*, but to retire within her own strength, and *wait*. I am sure of one thing—Russia and England may, for a moment, come to an understanding; but one day, real rivalries will break out—one day, these rivalries will become terrible enmities. *Then* our friendship will be sought on all sides; then all the world will wish for it; and there is no price that will not be laid at the feet of France, in order to have the support of her powerful sword."

We say nothing of the morality of this scheme of prospective policy—the sort of Macheath indifference which it seems to exhibit to contending candidates for good graces and a "powerful sword," and readiness to draw that sword on the side of whatever ally should offer the highest "consideration" in the shape of aggrandisement—we say nothing of this, though it is very characteristic of M. Thiers' school of policy—but we beg the reader to observe that, many months before the Treaty of July, M. Thiers had made up his mind to just such an event—and declared deliberately that France ought simply to isolate herself for the moment, without any rupture. The *isolation* of France then could not have been prevented by smooth words with M. Guizot. The *rupture* with France was wholly an afterthought, even on the part of M. Thiers! Even M. Thiers had acknowledged that no pretext for rupture would arise, in the event of England following the line she had distinctly laid down.

Was there anything in the Treaty of July itself to occasion a rupture—if there was nothing (by M. Thiers' own avowal) in the mere fact of *separate policy*—a separation decided on, and declared beforehand, not by *them*, but by France. Hear M. Guizot:—"We had loudly and constantly said that the division of territory between the Sultan and Pacha signified little to us; that if the Pacha chose to restore Syria, we should not object to it; that our anticipation of his refusal, of his resistance, and of the dangers which must arise from these to the Ottoman empire, and the peace of Europe, formed the motive of our opposition to receive measures. If we had made war to preserve Syria for the Pacha, we should have committed one of those pieces of self-contradiction, which weaken, because they discredit, any Power that is guilty of them."

No rupture could possibly arise from the July Treaty, except a rupture founded on a deception. That was attempted, and failed. We repeat, the Eastern policy must be judged by its own merits. If good in itself, the taking fire at it, on false pretexts, could not make it otherwise. Nor could its framers be responsible for unreason which was not their own. If so, why then, the most unreasonable must dictate policy to all Europe.—*Globe. Feb.* 1.

Seats were reserved on Tuesday in the House of Lords for the following peresses:—The Duchess of Somerset; the Marchionesses of Cholmondeley, Winchester, and Camden; Countesses Denbigh, Westmoreland, Essex, Carnarvon, Cadogan, Fingall, Verulam, Charlemont, and Listowel; the Viscountesses Ashbroke, De Clifford, Beaumont, and Palmersten; Ladies Teynham, Grantly, &c.

The Sultan's agent in this country has directed to be sent to Constantinople, a set of the newly-improved figures invented by Major Wathen, to elucidate cavalry movements, similar to those lately made for Prince Albert.

The Duke and Duchess of Sutherland, accompanied by the Marquis of Stafford and the Ladies Leveson Gewer, will leave Lilleshall early in the ensuing week, for Stafford House, for the season.

The *Prussian State Gazette* of the 18th contains a detailed account of the ceremonies at the coronation of the King of Prussia. Only a very few orders were conferred by his Majesty on this occasion. The festival was closed with a superb banquet.

The Hon. General O'Neil is suffering from a severe attack of quinsey; he has been bled and blistered, and by a letter we have seen from Tullymore Lodge we fear he will be for some days confined to his room.—*Ulster Times.*

We understand that the Marquis of Lothin has just made a purchase of the estate of Ormiston for the sum of 35,000l.—*Caledonian Mercury.*

DINNER PARTIES AT THE CASTLE.—Friday Evening—The Lord Chancellor, Earl of Howth, Viscount Lismore, Viscount Clements, Hon. F. Ponsonby, Hon. J. A. Prittie, Sir John Burke, Sir D. Roche, M. P., Sergeant Stock, M. P., Mr. Evans, M. P., Mr. Barry, M. P., Mr. Power, M. P., the O'Conor Don, M. P., Master Curry, Captain Romilly, Lord Cosmo Russell, and Captain Freeman. Saturday his Excellency entertained the following:—The Lord Major, the Archbishop of Dublin, Viscount Massareene, Lord Montmorres, Lord Vaux, the Master of the Rolls, Chief Justice Doherty, Sir E. Blakeney, Hon. Captain Bruce, the Recorder, Judge Torrens, Judge Ball, Baron Richards, Baron Foster, Solicitor General, Sir J. Vandeleur, Major-General S. Burgoyne. Sir T. Staples, Sheriff Porter, Sheriff Browne, Captain Romilly, Lord Cosmo Russell, and Captain Freeman Murray.—*Dublin paper.*

BERLIN, Jan. 16. Our academy of sciences has now been really commissioned by the King, to propose a new edition of the works of Frederic the Great. The commission apointed for this purpose is composed of Alexander Von Humboldt, and Professors Raumer, Rouke, and Boekh. The office of chief librarian has been given to Dr. Spiker, the editor and proprietor of one of our principal journals.—*Allgemeine Zeitung*, Jan. 22.

PHENOMENA OF SOUND.—In the artic regions, persons cane converse at more than a mile distant, when the thermometer is below zero. In air, sound travels from 1,130 to 1,142 feet per second. In water sound passes at the rate of 4,708 feet per second. Sound travels, in air, about 900 feet for every pulsation of a healthy person, at 75 in a minute. A bell sounded under water, may be heard under water at 1,200 feet distance. Sounds are distinct at twice the distance on water that they are on land. In a balloon, the barking of dogs on the ground may be heard at an elevation of three or four miles. On Table Mountain, a mile above Cape Town, every noise in it, an even wards, may be heard distinctly. The fire of the English, on landing in Egypt, was distinctly heard 130 miles on the sea. Dr. Jamison says, in calm weather he heard every word of a sermon at the distance of two miles!! Water is a better conductor of sound than air. Wood is also a powerful conductor of sound, and so is flannel or ribbon. Sound effects particles of dust in a sunbeam; cobwebs and water in musical glasses; it shakes small pieces of paper off a string in concord. Deaf persons may converse through deal rods held between the teeth, or held to the throat or breast. Echoes are formed by elliptical surfaces combined by surrounding surfaces, or by such of them as fall into the respective distances of the surface of an ellipse, and are therefore directed to the other focus of the ellipse. For all the distances from both foci to such surface are equal, and hence there is a concentration of sounds at those paints, direct from one focus, and reflected back again from the other focus. An echo returns a monosyllable at 70 feet distance, and another syllable at every 40 feet additional. The echo of artillery is increased or created by a cloud or clouds. Miners distinguish the substance bored by the sound; and physicians distinguish the action of the heart by a listening tube. Gamblers and pie men can distinguish, in to sing money, which side is under most, though covered by the hand.

There are two opposite lines which may be taken upon the Eastern question, with manliness and consistency. There is a third which can be taken with *neither*—but with a certain plausibility which recommends it to minds of a certain calibre. The first is the line taken by the Duke of WELLINGTON. The second that of Mr. GROTE. The third that of Sir ROBERT PEEL.

We have already expressed our sense of the frank speech of the Duke of WELLINGTON. That of Mr. GROTE is also marked by openness and sincerity. But Sir ROBERT PEEL's is betwixt and between—"lukewarm, neither cold nor hot',—not "prepared,' to contest the necessity of the measures which have been taken by government, but prepared to make them answerable, by implication, for all sorts of consequences, which in no manner naturally or necessarily arise out of them.

Those who think with Mr. GROTE, that the whole policy of the late treaty rests on an unsound basis, and is directed to wrong objects, might very consistently adduce, in aggravation of its demerits, the hostility in the public mind of France to its execution. It would, undoubtedly, be an additional objection to a thing bad in itself, that it served to create bad blood between ourselves and our nearest neighbours. But we cannot understand how those who think our policy *good in itself* should seek to depreciate that policy by alleging dislikes existing elsewhere, which they tacitly acknowledge to exist without adequate grounds. There is an end of the independent action of Great Britain from henceforward—an end of the respect of foreign Powers for that proved independence—if England must not act, with an European majority, on her own policy—because France has some bias which inclines her to opposite action! Observe, we do not pronounce, at present, on the merits of our late policy. We assume it good; because Sir ROBERT PEEL concedes it probably is so. And we ask, is a good policy, sanctioned by every great Power, except France, to be relinquished by England on the single and simple ground that France will not come into it—will not come into it, after she had professed to desire its objects! If so, we requested Sir ROBERT PEEL, or more earnest patriots, to mark the "unsbunned consequence"—*France is raised on the shoulders of England*, and rises above us by the whole height we give to her thus gratuitously. Will France rebay the obligation? Will France take us on her back in turn? Will France, whenever Europe would concur with her in a just object draw off for the sole reason that England might not quite like its accomplishment! Has there ever been an hour in her history when France whould have thus deferred to us? Well, then is it language becoming a consciousness of equality—is it language consitent with the preservation of a footing of independence—to say, we should be very glad to do so and so, but France would thereaten us. Our enterests and your are the same; but France think she has other interests. In Heaven's name what could result from such contemptible pusillanimity but the plain consequence—Europe would, on all occasions, adjust herself, as she might, to French interests, and take no account of ours. Of France and England, France only, would be asked if she would, or she would not. It would be understood, as a matter of course, that England waited for French consurrence, on all occasions, and on all questions. The concurrence of France alone would be as saked for! England would be as completely cypherse! in all time forward, as the Tories have been in the habit of pretending she was by the Whigs!

We repeat, the qnestion must be, and can only be, Was the late policy justifiable, conside ing the provions relations and transactions of the Powers of Europe with each other, and the common interest they had expressed in the integrity and independence of Turkey? If so, no dislike entertained in a portion of the French public to carrying out that policy, can afford any good grounds aginst it; and no ephemeral blistering of a newspaper-ministry could be entitled to overawe the deliberate actions of all Europe besides. Otherwise, M. Thiers was the Dictator of all Europe. Again, the Paris journalists were dictators to M. Thiers; and the policy of the Pacha of Egypt was the gospel—we mean the Koran—of the journalists. A pretty fix truly for the affairs of the East and West!—to depend on a minister, who depended on a dozen editors, who adored an old Turk!

However, notwithstanding our opinion of the want of that frankness and cordiality, which distinguishs of the first order on great occasions, and which Sir Robert Peel never exhibits,—that forgotfulness of party and self which contrasts a large mind with a little one.—we are quite willing to agree with the Times that "it is an important and gartifying circumstance, and must draw after it the most salutary consequences as to the state of public feeling in France, that the Duke of Wellington and Sir Robt. Peel vied with each other in their declarations of respect and esteem for the French people, and in their earnest and anxious desire, not merely for the permanence of pacific relations between the two Powers of Great Britain and France themselves, but for the maintence by France of a place in Europe which shall at all times secure to her the very highest degree of rank, station, and influence among the Powers of the world."—*Globe, January* 28.

EXTRAORDINARY FEAT of SWINDLING in PARIS,

(From the *Gazette des Tribunaux,*)

A rich merchant of Martinique, named G——, resently arrived at Havre, and having divers and important business to transact in paris, as well as being desirous of seeing all the lions of the day, hastened, off to the capital without delay, taking with him a considerable quantity of valuable luggage. M. G——had always been rather a gay man, and notwithstanding the fact of forty-five winters having passed over his head, leaving a little of their snow behind, he was not entirely indifferent to the pleasures of the world. He arrived in Parish on Sunday morning. He took his walk, he called upon his friend and correspondents, and was kept to dinner by one of them. In returning in the evening to his hotel he passed the Salle Ventadour. The dence was proceeding with all the gaiety of a Parisian ball, and the merchant was invited to take a billet d' entree. He at first refused, but on bein further pressed, he though he might as well as have a peepat one of these balls, of which he had so often heard and read. He accordingly entered, danced a quadrille or two, and was much pleased with the dazzling appearance of the place. But he was soon over comewith ennui sume and was preparing to takehis departure' when he was accosted by a pity little domino of blue satin, who took him familiarly by the arm, called him by his name, and asked him what news from Havre. M. G——was agreably surprised, and at once entered into a very aminated conversation with the fair unknown. Who could she be who appeared to know him so well? In vain he attempted to discover; she would not gratify his curiosity, although she made herself the most fascinating creature in the world. At length he proposed that she should sup with him, for, let her be who she might there could be no great impropriety in this, thought the, honest merchant. The lady would consent on one condition only and that was, that they should both go to sup at her house. Monsieur would call a coach She had her own there already. How extraordinary! thought the merchant. She must be a person of some consequence. He ventured to ask her once more, but he was told that "that he could never know!" Off they drove, and an their arrival at her residence she, for the first time, removed the mask, and discovered the prettiest and pair of eyes in the world, but her name she still persisted in not disclosing. It is unnecessary to go into the details of the supper. Suffice it to say, that it went off with much eclat, and monsuer was too much fatigued with his journey and all the pleasures of the day not to sleep soundly on retiring to bed. To say the truth, he did not wake untill 12 o'clock next day, when finding himself alone, he rang the beel for the servant. The domestic appeared. Have the goodness to tell me;" said M.G——"where I am!" "Where you are, mensuere?" reechoed the attendant, "the house has not changed its name since yesterday—you are still at the Hotel de France.——"[Oh, I am at on hotel I am I? and who is the lady who occupies this apartment?' "The lady? why, your wife, monsieur, I suppose; she rose carly to take the bath" "You suppose wrong," said the merchant in an angry tone, 'I have no wife. I am a bachelor. However, give me my cloths and let me have my bill,'—— "Here are your clothes, sir; but the bill was paid last night by the lady, when she ordered the supper. Mystery on Mystery However, he would go to his own hotel. On arriving there he found that the same mysterious agency which had paid the bill at the Hotel de France, had paid it at his own hotel. he was told that he had paid it himself, and that he had taken all thing away; that he had put the bill in his pocket-book, with two letters which had arrived for him in the course of the privious evening. Was he sleep or awake; was he in his right mind, or was he no longer master of his reason? He looked at his pocket book, and then, as if to confirm the astonding intelligence which he heard, there he beheld the paid hotel bill and the two letters referred to. There was no longer adount. He had been the dupe of a swindler. His luggage had been carried of; his packet had been ransakted his letters of credits had been received and not a trace was left of property to the amount of nearly 10,000 france. The manner in which the merchant's identity was so succesfully counterfeited is not the least extraordinary for even when the hotel keeper saw the real "Simon Pure,' he persisted indeclaring that it was he who had taken away the things; in short, that everything had been done by his orders.

FRENCH PAPERS.

PARIS, Feb. 2.—It was stated yesterday, in a journal that the English Government had applied to learn the intentions of M. Guizot respecting the Commercial Treaty, the conclusion of which has been suspended by late events.

It seems, in fact, that Lord Palmerston has represented to the French government in a very pressing note, that the moment is come for signing this convention, in case the ministry of the 29th of October would adopt the basis agreed upon by the ministry of the 1st of March.—*Le Constitutioned*, Feb. 2.

M. Humann, the Minister of Finance, has refused to be present at the sitting of the Chamber, because he considers the law for fortifying Paris as likely to prove the ruin of France.

It was reported yesterday evening that the passing of the law would cause M. Teste to resign. M. Humann says that the fortifying of Paris would oblige the government next year to impose again the duty of 40 millions on spirituous liquors, from which they were relieved immediately after the revolution.—*Quotidienne.*

BREST, Jan. 30.—The corvette 800tons of burden, Allier, Captain Hebert, is now fitting out here; it is to go to New Zealand.—*Le Commerce* Feb. 2.

The division on the bill for granting the funds necessary for the proposed fortifications of Paris, took place on Monday evening. Marshal Soult declared that the government would give full effect to the law in every respect. On a division there were—for the bill, 237; against it, 162; majority, 75. An amendment introduced into the law (on the motion of M. L'Herbelle, and modified by Marshal Soult) goes to declare that Paris shall not be classed amongst the fortresses of France (nor, of course, placed under martial law), but in virtue of a special legislative enactment. It was reported that M. Teste would, in consequence of the success of the bill, retire from office.

The *Gazette de St. Quentin* thus accounts for the recent removal of the garrison of the citadel of Ham:—"Two soldiers of the 71st Regiment, after drinking rather freely, began to cry *'Vive Napoleon!'* This report spread the greatest alarm among the police of the fortress, who immediately foresaw in a drunken frolic imminent danger. Five days after four companies of the 14th Light Infantry arrived there to relieve the detachment of the 71st, which was marched off to Amiens."

FLANDERS MAIL.

BRUSSELLS, Jan. 31.—We are assured that the government is at length about to adopt some general measures to repair all bad consequences of the revolution, and to indemnify all the victims of war, pillage, loss of office, and inundation.

The Bishop of Namur has just ceased to exercise his jurisdiction in the grand Duchy of Luxembourg. On this occasion he had addressed a political letter to the faithful in that country.

It will be recollected that the violent opposition made in the States General of Holland to the convention concluded between the preceding government and *Haedelsmaatscuppey*, for the produce of the colonies, gave grounds for supposing that the convention would be annuled, and that in consequence of this fear the rules of this Society had suffered considerable depreciation. Now a letter addressed to a merchant at the Hague affirms (as it states, on good authority) that the convention will not be annuted, but that it will merely undergo a modification, which will affect the form of the Convention, more than the financial part of it.

BRUSSELS, Feb. 2.—We learn that the Central Section has concluded its discussion of the budget of the war department, and that its report, drawn up by M. de Puydt, will very soon be presented to the members. It appears, as far as we can learn, that the Central Section has drawn up a pretty long plan for remodelling of the budget with a view to reduce the amount of it, but that the Chamber will not be asked to discuss it—it will merely be asked for a supplementary note of credit for ten months, and it will be left to the Minister of War to make all the retrenchments which he shall judge to be compatible with the good of the service, following as much as possible the plan of the Central Section.

BERLIN, Jan. 25.—His Majesty the King has been pleased to fix the 28th of February this year for the opening of the Provincial Assemblies of Brandenburg, Pomerania, Prussia, Posen, Silesia, Saxony, and Westphalia. The required notice will be given in due form of the opening of the Provincial Assembly of the province of the Rhine which, according to the wish expressed by the Estates, has hitherto been annually held in May.

By the Minister of the Interior and Police,
VON ROCHOW

FROM THE MAINE, Jan. 22.—Accounts from Breslaw say, that it is generally believed there that Count Trantmannsdorff, a canon of Omutz, will be the new Prince Bishop of Breslaw.

AUGSBURG, Jan. 28.—A letter we have received from St. Petersburg says, that a great sensation has been caused by the news that the young Prince Gallitzen, and Count Von Stackelsbeag, both of them belonging to the Russian Legation at Rome, have embraced the Roman Catholic religion. It is said, that besides being deprived of their titles of nobility, they are both threatened with the confiscation of their property. Prince Gallitzen has great estates in Russia.—*Allgemeine Zeitung*, Jan. 29.

THE WAR IN FRENCH AFRICA.—A correspondent of the *Constitutionnel* at Mostaganem writes on the 10th ult.:—"Since our late affair with the Hachems and the Sosouts of the Charagos, the Bordgias have made two attempts to carry off our cattle; but being warned by our spies, the marauders not only were defeated but made to repent their rashness. We lost only one ox, but the Bordgias had several of their horseman killed. Every night for some time our videttes and patrols moving between Mogtaganem and Matore have had to exchange shots with the enemy, who come close up to our walls, but more with the intention of robbing than assaulting us. All the tribes lying between Oran and Mostaganem, from the Salt Lake and the Oued Mina to the sea, begin to waver, and will soon come to demand peace. We must, however, observe, that the general's expeditons have been sent out at an unfavourable season, the soil being saturated with rain, and the corn scarcely sprouting from the earth. In another month we shall be able to do much greater damage to our foes, and then they will undoubtedly accept the terms we are ready to offer. Gen. Bugeaud is expected with pleasure in this province, although the author of a treaty which had been injurious to us But it is remembered that he gave great attention to the well-being of his soldiers, and and it must be confessed that in Africa, where the troops give so many proofs of their zeal and devotion to service, material interest are often too quickly forgotten. Abdel Kader is at Tlemcen, where his presence had become necessary to put down a spirit of revolt. The old Aga of the cavalry, Ben Nouny, is said to have joined the insurgents of Nedroma, declaring that the Emir kept up the war only as a pretence for burdening the tribes with taxes. If it be true, it is very important; for Ben Nouna is chief of the powerful tribe of Angads, and his defection would cause that of a large portion of the Emir's cavalry. The health of the troops along the whole of the coast from Oran is satisfactory."

ENGLAND AND SAN SALVADOR.—The *Constitutionnel* of Monday states that letters have been received from Guatemala and San Salvador, dated October 23, which announce the approaching arrival of an English squadron, for the purpose of demanding satisfaction from the government of San Salvador for insults and outrages towards British subjects, and spoliation of their property. The same letters announce the arrival off San Salvador of the French Corvette L'Indienne. It appears that several Frenchmen had been plundered by Gen. Mazarau, but the arrival of L'Indienne had sufficed to effect a change in the conduct of the authorities of San Salvador towards French subjects resident in that quarter. L'Indienne was to visit different ports, for the purpose of receiving the complaints of the French Consuls and merchants and of demanding reparation wherever the complaints were well founded. The letters mentioned by the *Constitutionnel* add, that the States of Central America were distracted by anarchy, and risings were daily expected which might endanger the lives and properties of Europeans. The *Belize Advertiser* of the 26th of September, announces the arrival at Belize of the Conus, Captain Nepean which, at says, preceedes the squadron sent out to demand satisfaction for the outrages on British subjects, and observes that if the Central Americans were wise they would avert the storm by offering immediate reparation.

CARLIST REFUGEES.—A Spanish correspondent of the *Courrier de Bordeaux* asserts that 72 Carlist refugees, who had returned to their own country, have been shot at Saragossa without any trial, and that large numbers have met with the same fate at Barcelona and Lerida. We have seen nothing to confirm this very improbable report.

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The French Protestant church whichby its awkward situation has so long incommoded and obst ructed the passage of carriages, &c. in Threadneedle-street, is now being pulled down in order to widen the street and improve the approach to the new Royal Exchange from Bishopsgate-street—an impovement very desirable in so crowded a thoroughfare. The venerable fabric in Threadneedle-street is now nearly 200 years old. We under-tand that the flooring, &c. is said to avery po'tea contion; in infact, had the church remained, it must have undergone an immense extent of repairs—*Globe, Feb.* 4.

PARIS, JAN. 27.

(FROM OUR OWN CORRESPONDENT.)

The ministers have been prompt in their prosecution of the journals, and their promptitude has gained for them confidence with the public. The journals complain of having been entrapped, and say ministers ought to have seized the *France* on the Sunday. in which case they would not have repeated the publication of the forged letters; but had they any claim upon the government for sueh a line of conduct, merely that they might be provented from committing themselves? The truth, however, is, that on Sunday the *France* did not come under the eyes of the authoritiesu ntil past past eleven in the morning, and on that day the journals for the provinces are carried to the Post office at ten o'clock, two hours earlier than on the ordinary week days. There was not time. therefore, to wait upon the King and to ascertain the fraud in a positive manner before the papers were distributed in the different bags. The *Messager* of Sunday evening might, indeed, have had a few lines stating that the letters were fictitious; but this was either not thought of, or, very prudently, it was resolved to wait until the followlng day, to see what journals would repeat the offence. Ministers have done well, for they have now an opportunity of curbing the licentiousness of the most furious of the daily papers. If they had waited another day they would have caught two other journals which had the letters already in type; but the probability is that the idea of entrapping the press was never entertained, and that no more delay took place in the prosecution than was inevitable. The partisans of the journalists who are prosecuted declare that the letters are genuine; this will be decided by the tribunal. The public generally believe that they are forgeries. They were first offered, I understand, to the *Gazett de France*, which had pubiished the real or pretended letters of Louis Philippe when in exile; but the *Gazette* having doubts of their authenticity, or being fearful of the consequences, refused them. Ne sooner, hogever, had they been given in the *France*. than the *Gazette* copied them. There is a report to day, that the government has already abandoned the prosecution; but I have been assured, by a gentleman connected with the Ministry of Justice, that the report is unfounded. There was a strong muster of members of the Extreme Left at the house of one of the chiefs of the party, who is a personal enemy of Louis Philippe, on Sunday evening. They were all in high glee, and the host exclaimed "Messieurs, Louis Philippe a signé son abdication." On Monday afternoon one of the members of the Left told M. Guizot in the Chamber, that he intended to put some questions to him about these letters. M. Guizot said, "As many as you please, but I will tell you what my answer will be beforehand. The letters are forgeries, and all who have given publicity to them will be prosecuted." This was so conclusive, that the idea of questioning M. Guizot publicly was abandoned. As far as the public are concerned, two of the letters might have gone down; but the third, about the forts, was of such a character that no reasonable person would believe that Louis Phillippe could ever have been so imprudent as to write it, particularly when it was rumoured that all the letters had been addressed to Talleyrand when he was Ambassador in London. It is well known to many politicians that the King was excessively guarded in his letters to M. de Talleyrand, and that when he wished to Communicate with him very confidentially, it was done verbally in Paris, if Talleyrand could come here, through a special Ambassador. Indeed—and of this fact I have a personal knowledge—Talleyrand more than once complained to the King that he was in direct communication with Earl Grey and Lord Holland through a French General who sent by him for that purpose, and a great coolness subsisted between the King and his Ambassador for some time on this subject. The breach was indeed made up, but there was always great prudence on both sides as to their epistolary correspondence.

There are still doubts about the success of the fortification bill, but I do not think thoy are well founded. I do not see how a majority can be obtained for any of the amendments; and yet M. Thiers himself seems to consider such a thing as possible. The speech of M. Guizot, on Monday, was bold and decided, and has produced great effect. That of M. Thiers, yesterday, has not added to his fame as a statesman or an orator.

FRENCH PAPERS.

PARIS, Jan. 27—The *Moniteur* of this morning has no official.

The *Unirers* of this morning has the following paragraph:—"The letters ascribed to the King, of which those published by the *Gazette de France* a few days ago are shose which the government prosecutes, are said to be one hnudred and ninety-three in number. It is affirmed that 20,000 francs were paid for them by the two honourable gentlemen whom the *Morning Post* accuses of having purchased them."

The affair of the *National* is to come on before the Court of Assize on the 13th of February next.

We find the following account in a letter from Bilboa of the 19th:—

"A frightful event has just spread consternatiob in the country.

"On Sunday, the 17th inst., these inhabitant of a small village in the district of Sopuata, in the Encartaciones, wore attending mass, when six armed men entered the church. They forced the persons present to fall down with their frees to the ground. They called Don Augustin San Gine, dragged him out of the church, and, after they had murdered him, forced their way into his house, where they seized his son. whom they also assassinated. They fled into the mountains before the few inhabitants could recover from their terror. The motive of these murders is unknown.—*Le Constitutionel*, Jan. 27.

The English journals have not arrived

PARIS, Jan. 26.—The session of the English parliament opens to-day. No London journals came to Paris on Sunday; but we hear of letters received yesterday, announcing that the speech of Queen Victoria would contain some expressions of regret at the coolness that has arisen between France and England. The partisans of M. Guizot rely most on the effect of these words, and curious circumstances are stated rsspecting the acts of obsequiousness made use of to obtain them, We shall see whether M. Guizot has not been duped in the bargain.—*Le Commerce, Jan.* 27.

SHERE, Thursday.—Her Majesty arrived here at halfpast four p. m! this day, escorted by a party of the 9th Lancers. Her Majesty was received at the Grand Entrance Portico by a Guard of Honor of the 60th Royal Rifles, commanded by Captain Temple. Her Majesty will remain at Claremont until Tuesday next, when she will return to Buckingham-palace. Prince Albert intends to shoot over the preserves during his stay at Claremont.

QUEEN ADELAIDE.—The above illustrious lady, with the benevoleuce that leads her at all times to open both her heart and hand to distress, under whatever form it may be brought before her, has sent the noble sum of 100l. to the subscription raised at Woolwich for the relief of the unfortunate widows and orphans of her Majesty's ship Fairy.

CAMBRIDGE, Jan. 28, 1841.—Dr. Graham, the Vice-Chancellor and Master of Christ's, has received the appointment of Chaplain to his Royal Highness Prince Albert.

The Earl of Erroll left town this afternoon to have the honor of dining with her Majesty at Claremont.

The Earl of Shaftesbury was appointed chairman of the committees of the House of Lords, on Tuesday, after the address had been agresd to.

The late Sir John Twisden has left the bulk of his property to Mrs. Hodges, the lady of T. L. Hodges, M. P., and not Twisden Hodges, as stated by several of our contemporaries.

Lord Ward was so far recovered from recent indisposition as to leave Himeley-hall for Oxford on Saturday last, after having, on the previous evening, given a grand entertainment to a numerous party, comprising Lord and Lads Hatherton, Lord and Lady Grey of Groby, Lady Fitzgerald, Sir F. L. H. Goodricke and lady, and many other distinguished visitors. It must be exceedingly satisfactory to our Dudley friends to find a descendant of this noble family at the family mansion protraying that hospitality which has been so frequently displayed at Himeley-hall. —*Stafford Advertiser.*

At the Levee on Friday, his Excellency the Lord Lieutenant conferred the honor of Kinghthood on Mr. Morrison, the celebrated Architect—an honor due to his own great professional attainments, and creditable to that respectable body of which he has been so many years deservedly considered as the head. There is now scarcely a country in Ireland that does not contain some splendid and classic monument, testifying to the state and skill of this scientific and able gentleman.—*Dublin paper.*

DRURY LANE THEATRE.—Lord Cardigan, who occupied the front seat in one of the private boxen at this theatre last night, was perceived and recognised by some persons in the pity, who commenced pointing him out to others as the "black-bottle man;" he was graaned and hissed by a majority of the house, but he had a considerable party who cheered him. His lordship remained in the box to the close of the performance, apparently disregarding the reception he met with; of course under these circumstances very little of the beautiful music could be appreciated. When the performances were over numbers of persons rushed out of the pit to give him, which they did, a lusty parting groan in the street.

THE HAGUE, Jan. 25.—At the meeting of the Council of State to-day, his Majesty installed his Excelleucy the Minister of State Baron Van Doorn Van Wert Capelle, as Vice-President of the Council. The sitting of the Council was very long. His Royal Highness the Prince of Orange was present as usual.

Mr. Philip H. Howard has paired off until the 2nd of February with Mr. Whitmore, member for Bridgnorth.

East Surry.—At the last general election two Tories were returned by the following majority:—R. Alsager (T), 2159; T. Kemble (T), 2135; Hon. Locke King (L); 1836; John Angerstein (L), 1805. The number of registered electors was thon about 5,500—it is now nearly 6000.

Mr. Speirs, of Elderslie, M. P. for Richmond. —We have much pleasure in contradicting a statement announcing the death of this estimable gentleman, at Leamington, on Wednesday last.—*Glasgow Chronicle.*

New Postage Stamp.—We have been favoured with a sight of a new postage stamp about to be issued for envelopes in lieu of the present. The new stamp is a manifest improvement both in apperance and convenience; for, while it only occupies about the same space as the penny lablel, the requisite distinctive mark is a well executed raised nead of her Majesty, surrounded by the words "Postage one penny," also in raised work. All the raised or embossed parts are white, the ground being pink, and the whole has a very neat effect *Wolverhampton Chronicle.*

The New Royal Exchange.—Yesterday, the works for the new building were put in active progress, and upwards of 150 hands were employed, the principal part of whom had been previously dimisred from the inclemency of the weather. Already upwards of two millions of bricks have been placed on the grounds to form a foundation. It is expected that her Majesty will lay the foundation stone early in June. The contract for the laying the concrete and completing the foundation expires in May. The whoie of the portion of the interior, except that of the centre area, is to be arcEed over, forming an extensive series of vaults, which will be let out for different business purposes. It is, however, in contemplation to remove this interior portion, which will add, at least, one-third to the mass of concrete now being laid down by Messrs. Webbs, the contractors. At the east end of the building this is about 180 feet in length, at the west-end 840 feet, and the entire length is arout 300 feet. The excavations have been made down to the gravel, in order to ensure a solid foundation, and the sewers in the neighbourhood have been deepened in order to secure proper drainage, that portion at the end of Prince's street being made to a depth of 30 feet. The extry expense incurred by the commmissioners of sewers will, it is expected, exceed 2,000l. The total amount of bricks and soil to be removed, according to contract, is 30,000 cubic yards, and about 8,000 cubic yards of concre-e will be required for the foundation. The accumulation of Thames ballast for the latter purpose, in the neighbouring streets, renders them additionally inconvenient to passengers.

FIRE AT THE MARQUIS OF HERTFORDS.—This morning, between eight and nine, a fire broke out in the mansion belonging to the Marquis of Hertford, in the Regent's Park. It appears that at the time mentioned one of the female servants was proceeding down stairs, and passing the back drawing room, perceived flames issuing through the flooring. Having given the alarm, the other domestics hastened with pails and buckets of water while a messenger was despatched to the engine stations, and soon after those from the County, Kinfi-street, West of England, with a strong body of firemen, arrived and put out the fire. Through judiciously closing the doors, it is believed the valnable pictures have escaped damage from the smoke.

George Simpson, Esq., Governor in Chief of the Settlements of the Hudson's Bay territories, has received the honour of kinghthood.

THE ROYAL NAVY.

(FROM OUR OWN CORRESPONDENT.)

PORTSMOUTH, Thursday.—The Albert, iron steam vessel, Capt. Trotter, destined for the Niger expedition, arrived here on Friday from Liverpool, on her way to Woolwich, to complete her equipment, and sailed the same evening. She is a very fine vessel of about 450 tons.

The freight ship Sussex, laden with government stores for Bermuda, anchored at Spithead on Thuaday, wind-bound, and remains.

The Lively lighter sailed from this part on Thursday last, with government stores for Sheerness and Woolwich.

The Aid lighter is daily expected to arrive here from Chatham.

The Warspite was taken into the basin on Tuesday, in the place of the Bapid brig, 10, taken out. The Rapid, which has been fitting as a tender to the Royal Yacht, is nearly ready for sea.

The Pelican and Iris are still awaiting orders at Spithead, but are expected to put to sea very shortly.

The Dee steamer, for whose safety fears are entertained, is hourly looked for to arrive in England to be paid off. From the long passage she has had, it is supposed she must have taken a circuitous route.

The Bittern, 16th, is to be brought forward for commission at this port.

The Cracker, tender to the Seaflower, having completed her refit, sailed on Wednesday for Guernsey. Mr. T. G. Mitchell has been appointed clerk to the Seaflower, vice Dealy, promoted.

We learn from Buenos Ayres ppears to the 26th Oct, that the Acteon, 26, Captain Russell, had sailed thence for Montevideo, the Falkland Islands, and the Pacific, on the 25th Sept. The Acteon conveyed some horses, sheep, and other stock, to the Falkland Islands.

The Stag, 46, Captain Preston, bearing the broad pendant of Commodore T. B. Sullivan, and the brig Grecian, 16, Commander Smith, arrived at Buenos Ayres on the 14th Oct., The Rose was also expected from Rio.

The following vessels were in the River Plate at the above date:—British: Stag, 46; Grecian, 16; Clio, 16; Camelion, 10; and Spider packet. Prench: Alemene, 26; Cassard, 20; Dassas, 20; Cygne, 20; Courassier, 18; Boulonnaise, 8; and a man of war steamer.

Appointments—J. S. A. Dennis, commander, to the Blossom, quarantine vessel, for rank; George Vincent, lieutenant, to the Indus; Charles S. Dunbar, mate, to the Lizard steamer; John B. Burke, assistant surgeon acting, to the Queen.

At Spithead—Iris, Pelican, and Sussex freight ship.

In Harbour—Victory, Queen, Excellent, Tweed Indus, Rapid, Royal George yacht, Drake lighter, Echo and Alban, steam vessels.

In the Basin—St, Vincent, Warspite, Vengeance, Madagascar, and Silvia cutter.—*Golbe Jan. 29th.*

We have reason to believe that the reports of the early removal of Prince Albert's Hussars to Dorchester are without foundation.—*Brighton paper.*

LIEUT. WM. M. LYNCH, INDIAN NAVY.—Intelligence has been received of the decease of this distinguished young officer. During the last two years he had served on the Euphrates and Tigris, under the command of his brother, Capt. H. Blosse Lynch. His talents and enterprising genius contributed much to the success of an expedition which promises such important results to the empire. A short time previously to his decease he had descended the Tigris and Euphrates in the Nimrod war steamer, for the purpose of conveying from Bussorah the officers and men of the expedition. They had suffered severely from the climate; many were dead; the survivors incapable of active service. He had the satisfaction of rescuing them from their dreadful position; but his own health was sacrificed in his exertions On his return to Bagdad he was ordered home for the benefit of his health. He was son of the late Major H. Blosse Lynch, of Parry, county Mayo, and nephew of Col. T. B. Lynch, of Plymouth.—*Dublin paper.*

THE LOSS OF THE DRYAD.—ANOTHER CHARGE.—After the evideuce had been gone through at the Mansion-house on Tuesday relative to the loss of the Dryad, Mr. Clarkson applied to Sir P. Laurie to have the Wallaces remanded on another charge of a similar description, in respect of a vessel called the Lucy, of which the prisoners were part owners. The learned gentleman said that he had not got the evidence in such a shape as to allow him to ask for their committal on this charge; but he had letters which would satisfy any reasonable mind that time ought to be allowed to complete the inquiry. Mr. C. Phillips said it was the intention of himself and another counsel for the prisoners to oppose a remand over next session. He should press the magistrates at once either to discharge the prisoners or else commit them for trial. A long conversation took place on the subject, and it was ultimately decided to postpone the decision upon the question regarding the Lucy until Saturday. Alderman Pirie said that intelligence of this vessel could not be expected until May next.

ACCIDENT TO A STEAMER AT LONDON-BRIDGE.—Yesterday afternoon, soon after four o'clock, the Planet Gravesend steam-packet, Capt. Hollingham, was coming into London-bridge Wharf, with 120 passengers on board, and the Red Rover, from Herne Bay, was ahead of her, also going into the wharf, to land her passengers; the Planet threw a rope in the usual manner to bring up alongside, but could not make it fast, and the tide, which was running up at the time very rapidly, carried the Planet towards the bridge. She then let go her anchor, but it dragged, and would not hold, and directly afterwards the steamer came against the bridge with a tremendous crash, and got athwart-hawse of the pier. The tide swung the Planet round stern foremost under the arch, and her funnel caught the top of it, and was carried away, to the great alarm and terror of the passengers. The confusion on board was now indescribable, the females and children fainting and screaming in all directions, and the men shouting for help. The funnel went over the starboard side of the vessel into the river, doing considerable damage in its descent. Several boats immediatly went alonside the Planet, and amongst other, Inspector King and his crew, in a Thames Police galley, rowed alongside. Three ladies and two gentlemen jumped from the gangway into the galley, and nearly capsized it. At this moment the foremast came in contact with the bridge, and was carried away. Two ladies were sitting in the larboard paddle-box cabin on deck, and the captain begged of them to come out before the foremast came down, but they would not. Immediately afterwards it was partially knocked down, by coming in contact with the Bridge. rusThe ladies screamed aloud, and then hed out of the cabin. They fortunately escaped without injury. The passengers, all this time were jumping into the boats alongside in all directions, and although they were much frightened, not one of them sustained any bodily injury. The Planet remained under the arch for some time, and, after landing the remainder of the passengers at Fresh-warf, proceeded to Depford to obtain a new funnel and mast, and to repair the damage. Captain Hollingham never left his post on the paddle box, and those who saw the accident state that great praise is due to him for his behaviour and that he prevented the funnel falling down among the passengers, and saved many lives. The accident was unavoidable, owing to the failure of the anchor, and the crowded state of the river at this spot, where there certainly is not at all times sufficient room for the steamers to pass to and from the wharf.

A FASHIONABLE SWINDLER.—A novel case of imposition occurred a few days ago. A woman, respectably dressed, and apparently very lady-like in her deportment, called upon a respectable silk-mercer in our city, and requested a sight of a number of articles, which, after a little inspection, she desired might be sent to her place of residence. The merchant, suspecting the object of his wary visitor, ordered the whole of the goods to be carefully measured previous to their being sent as requested. The goods were sent and returned, the lady stating that she would call at the establishment and make a better choice. On remeasuring them, however, the whole were found to be deficient, to the amount, in all of about the value of 5l. This was accomplished by removing the articles of dress from the room into which the porter of the establisment had been ushered, into an adjoining one, the lady alleging that her sister, who was confined to her room in consequence of indisposition, wished to see them before making a purchase. Information was accordingly given to the proper authorities who, after a most rigid investigation, found that the lady was "too many" for them; but after a severe reprimand from the merchant, and the information subsequently lodged by her female servant, she was induced to pay the expenses. This is not the only instance where many of oure respectable merchants have been imposed upon: they cannot, therefore be too cautious in their dealings.—*Edinburgh Observer. Globe January* 28

DREADFUL MURDER AT SHEFFIELD.—A every shocking murder was committed in Thomas-street, Sheffield, on Sunday, by a man named George Raney, on the person of George Belk. Both the deceased and Raney were edge-tool makers; and it appeared from the evidence adduced before the Coroner's inquest held upon the body of the deceased on Monday, and from the statement of the prisoner himself, that having gone home about one o,clock on Sunday morning, he, on his arrival at the door, heard wise in the house, and listning for a moment or two, heard his wife say, "Now, don't—give over—I except my master home directly." The man said, "Oh, never mind him, he'll not come home yet; I don,t care for him." The prisoner said on hearing this conversation, he thought they were in criminal intercourse together, rushing in said to the deceased, "You villain, are come to rob me of my dearest blessing?" A despirate struggle then took place between them, and the prisoner got his hand to deceased, throat, or declared "He should never do it again." The constable who apprehended the prisoner stated that he said, "I have not killed him with stricking him; I have done it more by strangling than by striking him." He then asked the constable who the man was? He told him it was George Belk who worked at newblond's upon which the prisoner replied, "Good God! was that the man? There was no persons beter friend than Belk and me." It appeared when the prisoner rushed into the room, he could not see who he was striking, as the candle was out. The prisoner in his statement before the jury, declared that he had no intention of murdering the man and said if there had been a light in the house, he thought things would have terminated diffirently. The inquest was adjourned for further evidence, and the prisoner removed in custody, a maid the hootings of the populace.—Abridged from the Shuffield Patriot.

HORRIBLE MURDER NEAR DROITWICH.—On the return of a fire-engine from a fire near Droitwhic, on Tuesday evening, on its passing through a brooks near the Wichbold paper-mill, one of the horses struck againt a substance in the brook, and by the passing of the engine the arm and hand of a female with a black kid glove on, was exposed to view. One of the engine men jumped off, and brought out of the water the body of a young women, who appear to have belonged to a most respectable sphre in life: she was dressed in silk stockings, laced boots, with well-trimmed straw-bonnet and clock. The body appeared as though it had lain in the water about two days.—There were on it marks of brutols usage, and signs of blows from some sharp instrument. The body was placed on the engine and conveyed to the Crown Inn at Wichbold, where it awaits the Coroner's inquisition. It is said the young women's name his mary Ann Patrinck, Niece to Mr. Benjamin Patrick, of Wichbold, who having no children of his own, was much attached to her. About five years ago she was placed with a respectable female in Birmingham to learn the strawbonnet business, where she has continued to reside ever since, occasionally paying a visit to her uncle and aun at Wichbold. Tuesday week the poor girl arriver from Birmingham by the Brilliant, to the surprice of her relations, who had not any reason to except a visit Wednesday she went out for a walk, chatting familiarly, to the family, and hinting to her cousin and confidanty, Miss Baker, that her birth day was approaching, and that before then she expected to receive a handsome present from Birmingham, but did not say from whom. On Monday last, when her eyes were closed in death, the present arrived! It was the "Forget-me-not," elegantly bound and richly gilt On Thursday morning, about ten the ill-fated girl said she would take another walk, when her cousin advised her to go towards Upon Warren, adding, "Don't be latter than twelve as we will have an early dinner." She went out, took the path the right skirting her uncle's little garden (the end of which is not more that 200 yard from the Wichbold Paper Mill Brook), and was seen no more alive. As the day wore away the family became uneasy at her absence, and, after vainly seeking her in the neighbouring farm houses, at night flattered themselves with the hope that she had returned to Birmingham. The week passed away, but brought no tidings of the lost one; and at length on monday morning her aunt went Birmingham in the hope of discovering the wanderer taken with her the few article of clothing she had left behind. The family passed the day in the most intence anxiety, the hours seeming never to pass so slow. At length the long-looked-for letter arrived, containing, not the welcome news that the lost one had been found, but lacerating their already wounded feelings by the intelligence that she had not been seen in Birmingham. No exertions have been spared by the constable (Mr Rose) and his brother (the landlord of the Crown, Wichbold: in endeavouring to trace footsteps upon the brink of the brook, but hitherto to their search has been ineffectual. The wounds are two in number: one between the left eye and the temple—a frightful gash, about two inches in length by by nearly half an inch wide from which the blood had copiously flowed; and the other a small sharp cut across the bridge of the nose. We may further state that it is believed no mony nor ornaments have been taken from the person of the ill-fated girl.—*Worcestor Journal,*

HIGHWAY ROBBERY.—On Monday afternoon, as Miss Gannon, of Knutsford, was proceeding along the turn-spike-road between Hoo-green and Mere town, she was stopped by two men, who robbed her of a reticule basket, containing some cloths, and her pocket containing five sovereigns; one was tall, with large wishkers wearing a light-coloured coat; the other short, with dark clothes.

ROBBERIES.—On Sunday evening thieves entered the house of Mrs. Shilcock, Cole hill Tamworth, by means of picklok keys, and stole from a bureau two watches and other property. From the shop of Miss E. Hunter, 117 Upper street, Islington, a silver watch, maker's name Crawley, Mildenhall'; a silver desert spoon, three dresses' two dozen pairs of women's stays, and other property.

THE BEXHILL BURGLARY CRIGATON, Jan. 27.—Three more men have been apprehended by our active officers on suspicion of being concerned in this burglary, and after undergoing an examination before the magistrates, have been remanded for a week. There are now six in custody, all whom appeared connected with the changing of the 5l Hasting bank notes. There others have been apprehended by the police of the Lewes district on suspicion of being concerned in the robbery.

HORRIBLE SCENE.—A few days since a crime, the circumstances of which exhibit an almost unprecedented degree of hardened cruelty, was committed in the environs of Blettesans, not far from Besancon. A man in the prime of life seized his own brother, a boy 12 years old, and sought to deprive him of life by flinging him into a half-frozen pond. The unfortunate child contrived to make his escape; but the assassin, made furious by the sight of his victim escaping, ran after him twice, and both times flung him again into the pond. Almost by a miracle the child got out of the water a third time, and, notwithstanding his state of extreme weakness, and the heavy weight of his clothes, saturated with water, effected his escape from the clutches of his ruffianly brother, and took refuge in a house situate at some distance from the spot. The attempted assassin is in the hand of justice.

All the instruments formerly employed for relieving deafness are now far superseded by the Voice Conductors invented by Mr. E. SOLOMONS, Nos. 36 Old Bond-street, and 1 Old Jewry, City. From their ingenious and minute construction (being only a quarter of an inch in diameter), they cannot be perceived by the nearst bystander, and while they enable deapersons to distinguish mixed and confused sounds, or the voice of a distant speaker, they afford the most effectual relief to subjects complaining of singing noises in the ears, and are altogether productive of the most desirable results. His Patent Spectacles extend great relief to the visual organs, and from a combination of properties which they possess, are vastly superior to those hitherto employed. To such persons who closely apply their sight to reading or any minute employment, but particularly by candle or lamp light, they will be found of incalculable advantage. The highest testimony to their superior merit is conveyed in the fact, that the principal medical authorities in Europe use, them, and strongly recommend their adoption by all persons who may require optical aid.—Observe, 35, Old Bond-street, and 1, Old Jewry, Cheapside.

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